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Number 82

FIRST THINGS

ON HUMAN RIGHTS

the universal declaration of human rights fifty years later
a statement of the ramsey colloquium

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mary ann glendon elliott abrams

abortion: a failure to communicate
paul swope

on the american experiment
john paul II

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FIRST THINGS

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Correspondence

Salad Bowl Religion

As a former student of Professor Jon D. Levenson's and an ordained Orthodox rabbi, I should be the last person to take serious issue with his thought-provoking piece on "The Problem with Salad Bowl Religion" (December 1997). But I do. First, there is the fundamental philosophical issue that at some very basic level all decisions of religious practice are personal, especially at the end of the twentieth century, when there exist no structures, social or political, that compel religious observance. That fact is shared by us all, regardless of the commitments that we make and the communities that we join. The most traditional of us, the most other-obligated, those most committed to heteronomous norms, choose those positions for ourselves. In that sense, the self is at the center for all of us, however our spiritual journeys are structured.

If this is so for religious practice, how much the more so for religious beliefs. As Prof. Levenson well knows, Jewish tradition is deeply divided as to whether or not belief can ever be reached through any but the most personal and self-centered processes. That is the basis for the millennia-old debate among Jewish exegetes about the first of the Ten Commandments—if it is about faith, we question if faith can ever be commanded by an external source. The fact that the self lies at the center ought not be surprising given the biblical account of each human being as created in the image of God. In such a system, "selves" are of infinite value, and personal choices should never be described as "mere." In fact, I would argue that to live in our age, an age in which individuals define communities at least as much as communities define individuals, is a remarkable blessing. That is not to suggest that such circumstances do not present real questions about the nature and content of contemporary religious commitments and communities. I even share some of Prof. Levenson's critiques of the current intensely creative/syncretistic impulses in the American religious community.

I would suggest, however, that questioning the authenticity or legitimacy of such impulses is not the most appropriate posture to take. In fact, those of us most closely identified with "traditional" beliefs, practices, and communities ought to be learning from the so-called syncretists, if not from their answers, then at least from their questions. Who more than they are actively involved in the ongoing struggle that lies at the heart of a highly developed spiritual identity? Who more than we run the risk of ossifying religious tradition, of turning sources of life into empty symbols? It is those of us most convinced of the authenticity of our conclusions who should question them the most closely.

A religious landscape in which questions replace critique and learning replaces suspicion would serve us all well. While Prof. Levenson would construct a bulwark against the dissolution of religious commitments in the face of "inconvenience, monetary loss, and personal anguish," I would suggest that we create wellsprings of religious vitality that would inspire commitments that could weather such intense challenges. At the same time, I would ask Prof. Levenson to recall that each of these exact categories has been traditionally employed by rabbinic legal decisors to abrogate specific laws and practices at different times in Jewish history. We short-change our various religious traditions when we assume that creativity and compassion may not be commensurate with commitment.

In short, I would suggest that we question what is in our salad bowl far more acutely than we question what is in theirs.

(Rabbi) Brad Hirschfield
Center for Jewish Learning and Leadership
New York, NY

In his "The Problem With Salad Bowl Religion" Jon D. Levenson seems to confuse ritual with sacra-

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ment. Celebration of the Holy Eucharist is neither validated nor invalidated by "the larger structure of norms, including norms of faith and authority, that give a ritual its meaning," but by the presence of the Risen Lord made known to us in the breaking of the bread.

In his example of "a minister from a liberal Protestant denomination" who may have been "only *impersonating* someone taking communion," I feel Levenson makes a second serious error by categorizing his subjects. There are many members of "liberal" Protestant denominations who are very orthodox. I am one of those, an orthodox Episcopalian (not an oxymoron!). That's why I love First Things. I have experienced the Real Presence of Jesus Christ at Eucharist at a Trappist monastery. The abbot there—and probably the one in Levenson's example—knew what he was doing. That experience changed me forever (perhaps eternally).

Levenson may do better confining his opinions on spiritual matters to those with which he has had personal experience. He may also need to sharpen his understanding of the Holy Sacraments.

John H. Knelson
Morehead City, NC

Jon D. Levenson replies:

Brad Hirschfield, the Orthodox rabbi trying to defend religious syncretism without advocating it, has sold his birthright for a pottage of lentils. He has traded a system of objective norms binding a theocentric community to the service of its God for a theology of amorphous personal spirituality and radical individualism in which "the self lies at the center." His claim that "all decisions of religious practice are personal" is simplistic and makes the mistake for which I criticized the Jewish woman who is the Unitarian moderator: it confuses the empirical with the normative.

Not prepared to surrender the status of being "other-obligated" and of standing among those "most committed to heteronomous norms" (which would entail surrendering his claim still to be Orthodox), Rabbi Hirschfield invokes rabbinic law in support of his extremely non-rabbinic spiritual libertarianism. The results are not pretty, for the two positions do not mix. It is one thing for "rabbinic legal decisors to abrogate specific laws and practices at different times in Jewish history"; it is quite another thing to say, as those decisors never did, that Jewish beliefs and laws have no more claim upon a Jew's life than those of other traditions. Rabbi Hirschfield's impression that the syncretists are the most "actively involved in the ongoing struggle that lies at the heart of a highly developed spiritual identity" is quite wrong. By tossing a religious salad instead of sorting out the pressing questions of faith, authority, and identity, they are avoiding some of the most difficult challenges of pluralism.

I am sure Rabbi Hirschfield would never countenance a Jew's having a Christmas tree alongside his menorah. He needs to ask himself why and to affirm a theology worthy of his practice.

In one breath, John H. Knelson faults me for stressing the indispensability of "norms of faith and authority" in defining a ritual act. In the next, he insists that his participation in a Roman Catholic communion service was legitimate because he is an orthodox Anglican. The liberal Protestant minister in my anecdote, however, is not orthodox or even trinitarian. Perhaps I should have said so.

Paragraph 1401 of the *Catechism of the Catholic Church* reads: "When, in the Ordinary's judgment, a grave necessity arises, Catholic ministers may give the sacraments of Eucharist, Penance, and Anointing of the Sick to other Christians not in full communion with the Catholic Church, who ask for them of their own will, provided they give evidence of holding the Catholic faith regarding these sacraments and possess the required dispositions."

I neither faulted nor defended the norm that requires non-Catholic Christians to "give evidence of holding the Catholic faith regarding these sacraments" if they wish (and then only in a situation of "grave

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necessity") to participate in the Eucharist. Rather, I drew attention to the very existence of the rule and pointed out that those who obey it are different from those who do not. The abbot in my anecdote falls in the latter category.

Rereading my piece, I fail to see how anyone could ascribe to me the belief that according to Catholic teaching, no situation can ever arise in which a Protestant may legitimately take communion in a Catholic church or that the efficacy of the sacrament depends on the disposition of the recipient. If I gave another impression, I apologize.

Excising Infanticide

James Nuechterlein's analysis of Steven Pinker's "Why They Kill Their Newborns" ("Infanticide for Beginners," January) makes a good point. Pinker's use of evolutionary theory to justify certain social policies that affect our treatment of children is potentially dangerous and misleading.

Those who accept Pinker's speculations should be informed that evolutionary biology is not an isolated science. It has strong empirical and conceptual connections to all scientific disciplines dealing with living organisms, including embryology as well as child or human development.

The vast majority of scientific texts in child development have at least one chapter on prenatal growth followed by a chapter on the birth process and the life of the neonate. No author of any child development text (I have read at least eighty or ninety over three-plus decades) ever states that at birth the fetus changes from being a form of nonhuman life to human life. It would be absurd to do so. Continuity from the zygote to the fetus to the neonate to the young child, etc. is self-evident. That is what development is all about. No discontinuities, no Pinker "milestones." Milestones are only working contrivances that have no empirical validity.

The theory that natural selection predisposes mothers to weigh the resource cost/benefit of rearing children is the same theory that posits that mothers are predisposed by natural selection to keep and nurture babies—often even when their babies are severely handicapped. Which variant of the theory should we choose? So far the theory cannot tell us.

Pinker still needs a course or two on child development, if not frog embryology. His extrapolation of personal opinions to "scientific" definitions of humanness by way of evolutionary theory damages the public image of a theory that is actually very useful in helping scientists do good science.

William Charlesworth
Institute of Child Development
University of Minnesota
Minneapolis, MN

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As the old saw has it, life imitates art. I refer to James Nuechterlein's "Infanticide for Beginners." Steven Pinker's call for "understanding" parents who kill their newborns immediately put me in mind of the late Walker Percy's 1987 dystopic novel, *The Thanatos Syndrome.* Set in the near future, it projects a "culture of death" in which, among other "principles," true human life begins at approximately eighteen months—the age at which an individual begins to exhibit Pinker's "morally significant qualities." Proto-humans who have not reached that milestone are legally disposable.

Mr. Pinker's fascination with mice is certainly appropriate. There is something rodent-like about his "morality."

Arthur R Glass
Hillside, NJ

I am afraid James Nuechterlein gave Steven Pinker too much credit in "Infanticide for Beginners." When I read Professor Pinker's "Why They Kill Their Newborns" in the *New York Times Magazine* (November 2, 1997), it was clear to me that his basic point was that a newborn baby does not qualify as a person any more than a mouse does, and therefore throwing one in a dumpster is no more immoral than setting a mouse trap. True, Prof. Pinker said at the beginning of his article that killing a baby is an immoral act, but then, as Mr. Nuechterlein points out, his whole analysis leads to the exact opposite conclusion. Unlike Mr. Nuechterlein, who believes that Prof. Pinker stopped short of actually advocating infanticide, I believe his only purpose in writing the article was to do just that, and his hollow disclaimer was simply a tactical maneuver allowing him to keep a line of retreat open in case his foray into infanticide apologetics blew up in his face. . . .

(Rep.) Barry K. Arrington
Colorado House of Representatives
Denver, CO

Beyond Babel

This letter is in reference to Professor Steven D. Smith's article, "The Constitution of Babel" (January).

I am in complete agreement and

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sympathy with Professor Smith's remarks that the decisions of the U.S. Supreme Court today are "intellectually incoherent" and no longer interesting or profitable to follow in any doctrinal sense. This has actually been true for some time and is not a recent development. I am in less agreement, however, with the reasons assigned by the professor for this dissolution of what was once a coherent subject matter. Instead, I would assign blame to a multitude of flaws that have their origin in the method by which law is taught in American law schools (and has been taught for several decades), and in the conception of what law is and what it is all about.

1. *A confusion of law and public policy.* The distinctive feature of law and legal analysis, like that of any science, is its *method*, what H. L. A. Hart (in *The Concept of Law*, 1961) calls "rules of recognition." These are rules that determine which of the many rules that *might* apply to a given situation are authoritative because they come from a law-giving source and therefore govern it. Once the appropriate rules are determined, they usually govern the outcome of the controversy and prevent law from becoming arbitrary and unstable. Public policy, on the other hand, merely requires for its method a guiding morality and a good sense of what is politically possible and expedient, given the interests involved. The utilitarianism of most modern moralities provides few restrictions on the direction moral arguments can take, and therefore provides little guidance for public policy reasoning. In my time in law school (the 1950s), we were taught that law changed as public policy changed; indeed, it was just another method of implementing public policy.

This is not to say that the present or past Supreme Court has applied no "rules of recognition" at all in formulating majority decisions. The methods they employed and currently employ were described by Justice Benjamin Cardozo in a series of lectures he gave at Yale Law School in 1921 (long before he was appointed to the Court) and later published as *The Nature of the Judicial Process* under the headings: the method of philosophy (which essentially relies on precedent and logic and, in the case of legislation, on attributing customary or technical meanings to words and grammatical constructions as the context dictates) and the method of history, tradition, and sociology (which attempts to discern a continuous thread of public policy running through past cases and legislation that must be adapted by the Court to new and changing situations as the public need requires). The trouble is that neither method is followed consistently in American courts. Whichever is more likely to lead to the desired and *predetermined* result is usually the one chosen. Sometimes, both rules of recognition are employed in the same majority decision, which results in the frequent confusion and incoherence that so many scholars have noted.

2. *The way opinions are written.* Another cause of incoherence is the literary pretension of the Justices, their desire to be the authors of "great opinions." The outcome, unfortunately, is bloated, expansive, pompous rhetoric, which may sound fine in a college commencement address, but causes havoc and confusion among those who must struggle to make sense of what it actually imports in the limited context in which the controversy was presented to the Court. Since most of the opinions are mercifully forgettable as literary compositions, it would be better for all if the opinions were phrased in the somewhat mechanical and formulaic style of Civil Law judicial decisions: a lot of *whereas* clauses to establish the necessary premises and a single *therefore* clause to nail down the final conclusion, all done in one page, or two at the most.

3. *Too many concurring and dissenting opinions.* As things now stand, it is very difficult to decide which opinion counts as the law of the case, its precedental principle. Is it the plurality opinion or one of its concurring opinions? I would imagine that these days constitutional scholars spend a good part of their time counting votes for a proposition and guessing where they will all come down when the same issue is next presented to the Court. It would be better if, like juries in criminal cases, the Justices were forced to come to some sort of agreement and express their decisions as *per curiam* decisions, with perhaps one dissenting view allowed if unanimity is impossible. Then, perhaps, there would be fewer prima donnas on the Court.

Maybe, if the above suggestions were enforced, constitutional law would become as boring a legal subdiscipline as taxation or trusts and estates, and many constitutional scholars would leave for pleasanter pastures, but at least the law would be restored to what it is supposed to be—a useful social tool—and not the revealed wisdom of a pantheon of semi-deities.

Barton L. Ingraham
Santa Fe, NM

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In place of "The Constitution of Babel," Prof. Steven D. Smith offers up "The Constitution of Conundrum." According to Prof. Smith, the American constitutional system is caught between the inscrutability of providence and the futility of fate from which there is "No Exit." Rather than choose the atheistic despair of Jean-Paul Sartre, however, Prof. Smith prefers the religious hope of Reinhold Niebuhr that somehow man can make sense of the "riddle" of constitutional law, if he will only humble himself and turn away from his "pride of reason."

At best, Prof. Smith's solution to today's constitutional malaise calls for a kind of pious judicial and professorial self-restraint. While this might save us from pompous pronouncements of judicial supremacy, like those emanating from the plurality opinion in *Planned Parenthood v. Casey*, it does nothing to restore the rule of law to the American republic. But, then, according to Prof. Smith, any effort to restore true law would be an exercise in futility because there is no room in "modern thinking" for a "divinely instituted natural order" as "America's founding generation" believed there to be. . . .

Throughout his essay, Prof. Smith insists that our current constitutional problems may be traced back to the founders' faith in the "autonomy" of man's reason in "the constitutional project." Sprinkling his piece with isolated quotes from Alexander Hamilton, Thomas Jefferson, and James Wilson, he claims that America's founders "rejected the received ways of understanding of [the providential] order—tradition, authority, revelation, scripture—in favor of trusting in fresh human intellect." This is simply not true.

In the Declaration of Independence, the nation's charter, Jefferson and his compatriots rested their case for independence upon "the laws of nature, and of nature's God." These terms were not new, freshly minted by revolutionaries "rebelling" against "tradition, authority, revelation, and scripture." To the contrary, they were well known common law terms found in Sir William Blackstone's *Commentaries on the Laws of England*. The "law of nature," Blackstone wrote, was God's will revealed in nature, and the "law of God" was God's will revealed in the "Holy Scriptures."

Had America's founders sought to elevate their reason over God's revelation, they could have chosen a different term, "natural law." For, as Blackstone stated, natural law is "what, by the assistance of human reason, we imagine . . . [the law of nature and of the Holy Scriptures] to be." But Jefferson and his colleagues chose, instead, the actual laws of God, which were, as Blackstone wrote, "binding over all the globe, in all countries, and at all times."

Not only did Jefferson rely upon God's revealed law, he relied upon God's revealed truth. Thus, he wrote: "We hold these truths to be self-evident," not we hold these truths to be "reasonable." For a truth to be self-evident, it cannot be based upon man's finite "reason," but must be based upon a God-imposed truth in the mind of every man. By endorsing the self-evident truths of divine creation, equality, life, liberty, and the pursuit of happiness, America's founders chose the biblical epistemology of the Apostle Paul (Romans 1:18-20), not the "self-creation" aphorism of René Descartes. . . .

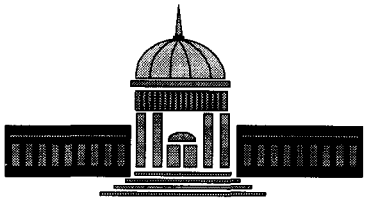
Because of America's founding faith in Divine Providence, the people confidently believed that God in His mercy and grace would make it possible for finite and fallen man to discover His laws and to build a civil order upon those laws. That confidence, in turn, was based upon the common law tradition expounded by Blackstone, who testified that after the fall of man, "Divine Providence . . . in compassion to the frailty, the imperfection, and the blindness of human reason hath been pleased, at sundry times and in diverse manners, to discover and enforce its laws by an immediate and direct revelation." . . .

Until this nation and her leaders return to the humility of our first President and Congress, and to the Constitution as it is written, they will labor in vain to escape the confusion that Prof. Smith so rightfully deplores.

Herbert W. Titus
Chesapeake, VA

Steven D. Smith replies:

Barton L. Ingraham and Herbert W. Titus both make valuable points with which I agree. In particular, I think it is true that the "modern moralities" that pervade current public policy provide no satisfactory guidance, as Mr. Ingraham points out, and that the political and legal ideas of the American founders were firmly grounded in their commitment to "the laws of nature, and of nature's God," as Mr. Titus argues. In fact, these points are intimately related: The unmoored quality of modern moral thought is due in large measure to the loss of belief, within our govern-



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ing sectors, in a providential order of nature. Much of the book from which my essay was taken is devoted to exploring that profoundly disorienting development and its consequences for constitutional law.

I confess to being skeptical about the prospect, expressed in different ways by both Messrs. Titus and Ingraham, of redeeming constitutional law by "restor[ing] the rule of law to the American republic," perhaps by a more consistent adherence to some particular "rule of recognition." That sort of "rule of law" vision is familiar and attractive, but our experience gives us scant reason to suppose that it is realizable. We will do better, I suspect, to cultivate the virtue of humility—"a kind of pious judicial and professorial self-restraint," as Mr. Titus somewhat disdainfully puts it—than to look for political salvation in any jurisprudential method or formula that would purport to tell us how the Constitution should be interpreted or when the judiciary has overstepped its bounds.

Nothing Intelligent?

Intelligent people certainly disagree on many and varied things. One's perspective may incline one to see a glass as half empty where others will see it as half full.

My perspective sees *Nothing Sacred* (John J. Reilly, "Intelligent Television," January) as not only half full, but full of good writing, humor, poetry, and top-notch acting. I'm not alone in this. Kevin Anderson (Father Ray) recently received a Golden Globe nomination for Best Actor in a dramatic television series. A survey of over fifty media critics across the United States rated *Nothing Sacred* #6 out of a field of over 100 shows. (Granted, the field of competition is pretty dismal.)

In a separate survey done by Viewers for Quality Television, the show was rated even higher. The members of that organization voted *Nothing Sacred* #1 in four categories: best drama, best writing, best actor, most interesting new character. . . .

Of the dozens of Catholics I've talked with about the show everyone, without exception, has been deeply moved by it. They can't believe that something this good is actually on commercial television. Maybe I'm associating with the wrong people or maybe we're just birds of a feather, but this is a remarkable consensus.

I believe that a deliberate half-truth is not honest. The writers of First Things have consistently and sarcastically lambasted this show. It has been misquoted and half-truths told of certain episodes. To see nothing good about the show is not honest or balanced criticism. If along with the awareness of its faults you cannot find anything intelligent, poetic, or inspiring about this drama, then you are seeing the glass as half empty. You may even consider the glass completely empty. But, then, isn't our perception of reality a reflection of our own heart?

Catherine Stepanek
Minnetrista, MN

In Defense of the Archbishop

Richard John Neuhaus' mention of Dr. George Carey, Archbishop of Canterbury, in the December 1997 Public Square should not pass without comment. Dr. Carey may have inconsistent views of the right of remarriage of the nominal head of the Anglican Church and its bishops, but he has his theology right. He has consistently stood for the orthodox faith since his appointment. When he was appointed by the Queen, it was a surprise to all observers since he was comparatively unknown. One of the English tabloids proclaimed in a headline, "Anglicans Choose Christian As Leader." He was a refreshing change from leaders, such as some of our Canadian bishops, who emphasize liberal social positions rather than a faith that seeks to change the human condition by Christ's redemptive work.

It should also be noted that Carey has been archbishop for less than ten years; bishops and priests have been divorcing and remarrying for decades. One can hardly expect the clock to be turned back in this area when the Church faces other challenges. . . .

E. A. Marshall
Edmonton, Alberta
Canada

Defending Promise Keepers

I am concerned at Richard John Neuhaus' rather terse remark in The Public Square (January) about Promise Keepers. Florence King's remarks I dismissed easily enough. After all, what else could she say and keep her label as misanthrope? But Fr. Neuhaus' comment disturbed me. "The Zeitgeist embraced in the name of Jesus is still the Zeitgeist." I lay no claim to Hegelian expertise and I'm not absolutely sure of the pure meaning of Zeitgeist. In the context of Fr. Neuhaus' remarks it seems to mean, at the least, a trend of the times. My impression is that Fr. Neuhaus has relegated this movement to a somewhat superficial Christianization of a current fad, perhaps with its roots in *Iron John*.

Personally acquainted with men and families transformed by Promise Keepers, I am disappointed with Fr. Neuhaus' apparent support of Ms. King's evaluation. Even such a mild denigration as his smacks of elitism and potential divisiveness. The suggestion that Bill McCartney and others associated with him might be naive followers of emotional fads is disturbing. It is also a reflection on the validity of the spiritual and psychological stability of the movement as well as that of a large section of the Christian male population of the U.S. . . .

Cal Williams
Genoa, IL

RJN replies:

The comment was not intended as "support" for Florence King's evaluation, although her evaluation should not be casually dismissed. I intended to indicate simply that a certain skepticism toward the "spirit of the time" is always in order, even as we recognize that effective communication cannot help but engage the spirit of the time.

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THIS TIME

An Unwonted Uncertainty

James Nuechterlein

You get to a certain age and you know—or ought to know—what you think about important issues. Open-mindedness, when understood as a willingness to change one's mind if presented with new information or deeper insight, is a considerable virtue. But open-mindedness understood as perpetual indecision, a principled refusal to make up one's mind in the first place, is no virtue at all. It is evidence rather of intellectual and moral slack.

I have never had much trouble deciding what I think about things, or in being willing to share with others the views I hold. (Ask my wife and children.) But sometimes I waffle—and on no question more than capital punishment. I have come, after a lifetime of wrestling with the issue, to favor the death penalty. But I do so with unwonted uncertainty and uneasiness. The execution of Karla Faye Tucker in a Texas prison last February 3 brought out all my ambivalence.

There was a time when I felt no ambivalence on capital punishment at all. I was firmly opposed. As editor of my college newspaper, I wrote an impassioned editorial condemning the execution of Caryl Chessman, a multiple murderer whose case roused national attention before his death in the San Quentin gas chamber in the spring of 1960. The death penalty, I argued, was a barbarism that no civilized society can countenance. Christians in particular, I added, should oppose capital punishment as a refusal to recognize life as God's sacred gift.

It was only over a long period of time that I came to change my mind. To be sure, many of the arguments against the death penalty have never impressed me. The suggestion, for example, that it is unconstitutional, a violation of the Eighth Amendment's prohibition of "cruel and unusual punishments," collapses in light of the fact that capital punishment is explicitly provided for elsewhere in the Constitution. Justice William Brennan's argument that "evolving moral standards" have changed the death penalty's constitutional standing was as blatant an expression of judicial imperialism as one could imagine: given the overwhelming approval of capital punishment by the American people and their elected representatives, Brennan could only mean that the robed guardians of the Court are sovereign arbiters not just of the constitutional text but of the moral principles that inform it. Acting in that sovereign capacity, they need be inhibited neither by the plain meaning of the text nor by the expressed will of the American people.

Other, more direct, arguments against the death penalty seem little more persuasive than the constitutional one. I have never quite understood, for instance, what people mean when they condemn capital punishment as an act of "vengeance." My dictionary defines "vengeance" as "punishment inflicted in retaliation for an injury or offense." In that sense, any form of punitive action against crime constitutes vengeance. Those who uphold the death penalty see it as an act of justice, not of revenge ("an act or instance of retaliating in order to get even").

There is among experts a good deal of debate as to whether the death penalty acts as a deterrent to prospective murderers. My dabbling in the technical literature leads me to the conclusion that the issue is unresolved (and perhaps, given the number and complexity of the variables involved, unresolvable). But even if it could be conclusively demonstrated that capital punishment has no deterrent effect, that would not clinch the case against it. Protection of society is one potential argument for executing murderers, but it is hardly the only, or even necessarily the decisive, one. Again, for most defenders of capital punishment, the primary issue is justice.

Some Christians, in the Catholic Church especially, have argued against the death penalty as part of a "consistent ethic of life." They include capital punishment in a package with such other issues as abortion and war. But that, it seems to me, muddies the moral waters. Christians should unequivocally oppose abortion because it takes innocent life. The difference with the death penalty, on this point at least, hardly requires argument. As to issues of war and peace, there is a venerable but by no means monolithic Christian tradition of pacifism. Most Christians—myself among them—think a more fruitful approach to the legitimacy of military action is to be found under the rubric of "just war." (Even most pacifists concede that World War II is a hard case for their position.) In any case, it would seem difficult to argue that opposition to war is morally of a piece, either in the Christian tradition or in Christian ethical analysis, with opposition to the death penalty.

But that is not to say there is no good case, Christian or otherwise, to be made against capital punishment. Moral philosophers have suggested that one test of the validity of the ethical positions we establish is their compatibility with our considered moral intuitions. For a great many people today, there are few if any such intuitions more compelling than the presumption, in all relevant

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situations, against the taking of life. (Thus the appeal to a "consistent ethic of life.") It is precisely that presumption that lies behind the argument I made as an undergraduate that the death penalty is inherently uncivilized, a moral atavism that diminishes respect for life and coarsens our moral sensibilities. Witness, in support of that argument, the unlovely spectacle of the drunken, cheering crowds that regularly materialize as an execution draws near. (Most defenders of the death penalty, of course, are as appalled by such spectacles as are those who oppose it.)

The dilemma for people like me is that in capital punishment we are confronted with competing moral intuitions. We acknowledge the presumption against the taking of life, but we also are possessed of a deep conviction that in certain circumstances the requirements of justice are most adequately met by imposition of the death sentence. Those who coldly and brutally take innocent life, we argue, may justly have their own lives taken in return. In so acting, society not only expresses its moral abhorrence of certain heinous crimes but also—paradoxically, but not, we think, contradictorily—indicates its reverence for innocent life.

It may well be that the case of Karla Faye Tucker confuses rather than clarifies the general argument about capital punishment. Hers was a special set of circumstances, which is why it attracted so much attention and brought to her side a number of people who normally favor the death penalty. I confess that, quite reflexively, I hoped her sentence would be commuted—although I'm not sure I could construct a rationally persuasive argument as to why, given the brutal double murder she participated in, hers should have been a case for leniency.

Perhaps it was simply that, in the almost fourteen years between her conviction and her execution, she had so transformed herself. Unlike most inhabitants of death row, she was attractive, winsome, and not given to self-pity or self-justification. She had undergone a manifestly genuine conversion to Christianity, and she faced the possibility of death with admirable courage and affecting faith. (Skeptics stressed the fact that she was white, but I saw no evidence that racial feelings played a significant role in garnering support for her.) None of that, of course, changed the fact of what she had done, and perhaps those who refused to lift her sentence were concerned most of all with the precedent they would thereby set. Hard cases, as they say, make bad law.

Still, my uncertainty about her execution remains, and though it does not change my mind on the death penalty in general, it reminds me that none of us who hold that position should ever feel entirely at ease with it or forget for a moment that we might be quite terribly wrong. And if we are wrong, the judgment for error on this life or death issue will weigh on us more severely than it will on those who, if it turns out that way, erred in the gentler direction. FT

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Opinion

Anti-Semitism Without Anti-Semites

David Klinghoffer

In a Manhattan apartment overlooking the East River, a young woman I know lies awake at 5 A.M., wondering if the sun will rise. That fear has gripped her on more than one occasion recently. This is what happens. She is awakened by the sound of her children crying. Once she has quieted them down, she gets back into bed and looks out the window and thinks, What if the sun doesn't come up this morning? She is entirely sane, I assure you, but the idea terrifies her until the sun actually does rise through her window, and she can fall asleep again beside her husband.

The other day she happened to mention this to me. I felt that I should console her, even half-playfully. But how?

While giving all due respect to her anxieties, I tried to present a cool, rational view. On the one hand, I said, it has to be admitted that nature is in God's hands. The meaning of the phrase used in insurance contracts, "Act of God," is precisely that nature does not always follow predictable rules. The blessing we Jews say before recitation of the *Sh'ma* each morning acknowledges that the Lord *m'chadesh b'chal yom tamid ma'aseh bereishit*: God renews the work of creation every day, continually. Theoretically, it's possible that God might choose to withhold the sun from us tomorrow morning. In the past, on at least one occasion, He has indeed halted the course of the heavenly bodies (see Joshua 10:13). In short, anything could happen.

On the other hand, I told her, clearly there is nothing to worry about. I could show you photographs going back decades of the sun rising over the East River each and every morning. It has never failed to do so. Forget about it.

I thought afterward, however, that I had taken the wrong approach. When someone is irrationally afraid of something, it makes no sense merely to reassure him that he has nothing to worry about. Usually, the smart thing to do is help him step back from his fears and view them at a distance. Let him ask himself: Why is it that I worry about a problem that isn't there? What is the subterranean meaning of my fear? When a rational person suffers from an irrational terror, the terror serves some purpose, probably an unhealthy one, in the dark attic of his soul.

I thought of the young woman who was afraid the sun wouldn't rise when I came across an item recently in the *New York Times*. Bear with me. It won't be immediately apparent what she has to do with ultra-Orthodox hasidic Jews in New Square, New York.

The *Times* reported that some hasidim up in Rockland County had been indicted on the charge that they had defrauded the federal and state governments in a multimillion-dollar scheme involving student loans and housing subsidies. Subpoenas had been served at 6 A.M. to ensure that the subpoenaed individuals would be on hand to receive the documents personally. Getting woken up at such an early hour scared the children, the Jews claimed, and was "remindful of the Holocaust that many in this community endured decades ago."

For many of us Jews lately, everything and anything is "remindful of the Holocaust." The truth is that anti-Semitism has become an obsession with us. You've heard the phrase "anti-Semitism without Jews," to describe the hostility to Jews felt in countries like Poland that don't have any Jews. In the American Jewish community we've got anti-Semitism without anti-Semites. Or almost without anti-Semites. In a country as big as America you are inevitably going to find nuts and cranks, haters and despisers, of every description—if you look hard enough.

It seems every month the Anti-Defamation League denounces some piddling Army bureaucrat who said "Jew" out of the wrong side of his mouth or some evangelical religious group that had the temerity to hire one man and a secretary to undertake the quixotic task of converting every Jew in America to Southern Baptist Christianity. We follow these developments with eyes opened wide in horror. I regularly receive a big black fundraising envelope from the Simon Wiesenthal Center, with promises of dark tidings for the future of the Jewish people: "Outbreaks of a virulent new strain of anti-Semitism around the world confront you with a choice. Urgent: Early reply requested." Or I receive a business-size, fund-raising envelope from the ADL—or is it the World Jewish Congress?—with a photo of two mangy-looking teenage skinheads with a Nazi flag in the background and the caption "We protect your kids from these kids." In reality, of course, American Jewish children are in far greater danger of getting run over by drunk drivers, or electrocuting themselves by dropping a plugged-in radio in the water when they're taking a bath, than they are of getting so much as a hair on their heads plucked out by a neo-Nazi.

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Our preoccupation with the ultimate symbol of anti-Semitism, the Holocaust, has become notorious. There is no end in sight to the Holocaust history books, Holocaust novels, Holocaust television shows, Holocaust magazine and newspaper articles, chairs in Holocaust studies at universities, Holocaust museums, Holocaust poems, Holocaust paintings, Holocaust sculptures. In fact the flow seems to be picking up speed. Every self-respecting synagogue and Jewish Community Center must now have its Holocaust memorial, the more elaborately grotesque the better. I was driving in a leafy suburb of Seattle recently and passed some sort of public building with a huge, eerie, black concrete cylinder out front, with what looked like devils' faces on it. Who had erected this sinister totem? Yes, of course, it was the neighborhood JCC proudly displaying its Holocaust memorial.

Whenever something unpleasant happens to us, whenever we are criticized or judged, whether fairly or unfairly, we tend, as a community, to view our discomfort from the perspective of the Holocaust. We operate under the assumption that anti-Semitism is forever threatening to boil up under the surface of American life and bring another trial like that one on us. Otherwise, what would be the point of remembering and remembering, and accusing and accusing, as we do? Like the woman who is concerned the sun won't rise, we are afraid without a rational reason to be afraid.

If I had the opportunity to console the Jews who fear that another Holocast, or any lesser trial, may be around the corner, I could say: I understand your fears of anti-Semitism. After all, there was indeed a Holocaust fifty years ago. Yes, it could happen here. Theoretically, anything could happen to anyone anywhere.

On the other hand, as Professor Leonard Dinnerstein wrote in his 1994 book *Anti-Semitism in America*, "Today anti-Semitism in the United States is neither virulent nor growing. It is not a powerful social or political force. . . . The obvious conclusion is that it has declined in potency and will continue to do so for the foreseeable future." I would add that in America today there is probably less hostility to Jews than in any country anywhere, including the State of Israel, at any time in history.

I could stop right there and say nothing more.

It would be better, though, if I tried to do what I should have done for my anxious friend. I could say, I am not going to address the content of your anxiety. Rather, I will offer a hypothesis, a proposed explanation of it. You could call it a meta-analysis. I want to know what it is in Jewish culture that accounts for our obsession with anti-Semitism.

Is it, in fact, another Holocaust that we fear? When we scour the printed and broadcast statements of our non-Jewish fellow citizens for the slightest hint of hostility to us, is it omens of a Nazified America we are really searching for? That would be the conventional answer. And as soon as the Holocaust is invoked, all discussion of an impious, questioning kind is expected to cease immediately. That answer, however, is an insult to American Jews. It suggests we are too dim-witted to tell the difference between Europe in 1938 and America in 1998. Instead, I offer you the hypothesis that, when we indulge our obsession with phantom anti-Semitism, we do something deeply related to what is unique about our Jewish souls.

When we want to understand the Jewish soul, religious and secular Jews alike can agree that there is no better way to do so than to read the Hebrew Bible. Some Jews, including me, believe that the Bible comes to us from God and His prophets. So it is obvious why that book can tell us more about ourselves than any other source, even the *New York Times*.

Jews who don't believe in the Bible, who think it is a mere pastiche of ancient propaganda tracts culled together by rather unskilled editors called redactors, can still agree that it embodies the essence of what Jews are. After all, it is our national literature. We wrote it, and we have embraced it, however fraudulently, as God's own word for more than three thousand years. It defines us, and always has. What, then, does the Bible tell us about anti-Semitism? The answer is nothing, and everything.

For, to put it simply, the Bible has never heard of such a thing as anti-Semitism. Naturally it records stupendous disasters that have befallen our people: none greater than the destruction of the First Temple by Babylonian invaders, when Jewish mothers were compelled to cook and eat their children in the streets of Jerusalem, as the Book of Lamentations so appallingly records.

But in Lamentations, and throughout the Bible, there is a striking difference between the way biblical Jews understood the hostility of non-Jews and the way we understand it. When the Jewish people suffer in the Bible, it is almost exclusively at the hands of non-Jews. Occasionally God will send a plague, but, for His own reasons, he prefers to work through Gentile aggressors. The difference between us and the Jews of the Bible, and indeed the Jews of every generation until a century or two ago, is this: They understood Gentile hostility to be an expression of God's displeasure with us as a community. We understand it to be essentially meaningless.

What's more, however difficult it is for us to square this mystery with our modern assumptions, they understood that God punishes the People Israel as a community. They believed in collective responsibility. That means that when individual Jews do wrong and bring punishment down from Heaven, innocent Jews may get caught up in the maelstrom. In fact, the guilty may escape punishment in this world altogeth-

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er, while the innocent die and must wait for their reward in the world to come.

Take that time, recorded in the Book of Joshua, when God stopped the sun in its course. That happened during the conquest of Canaan, when the Israelites emerged from the desert after their wanderings. Shortly before that, we find a typical incident that reflects the authentic Jewish view of collective responsibility. When the Jews besieged Jericho, God instructed them to refrain from looting the ruined city. One man disobeyed. His name was Achan. As a result, when the Jews went out to make war on their next target, a modest little Canaanite city called Ai, they got chased away and lost thirty-six apparently innocent men in the battle. But Achan was not killed. It was only after Joshua had punished Achan that the Israelites could resume their campaign undeterred.

There is perhaps no better example of this dynamic than the Holocaust. It would be a presumption to assert that God caused the Holocaust, or allowed it to happen, in order to punish European Jewry for their increasingly widespread devotion to secularism. In any given historical event, we can never know God's true intention. But it would also be a presumption, and a worse one, to assert that such a punishment was not what He had in mind. It is that latter presumption of which most Jews, including many religiously observant ones, are guilty today. Anyway, if He did intend that event as a punishment, a warning, or a lesson, it would fit the Bible's pattern neatly. The Jews liquidated by Nazi Germany were not only, or even mostly, Reformers and secularists. Many deeply pious Jews perished as well, for they were often the last to seek escape from rising Nazi power. Which makes sense. God views the People Israel as an eternal community, not merely as disconnected individuals. All are responsible for all. And as the story of Achan and his friends demonstrates, maybe to emphasize our deep interconnectedness, the Lord does not practice precision bombing.

We modern Jews have entirely lost the consciousness of collective responsibility. A Conservative rabbi called Harold Kushner has crystalized our thinking in a series of bestselling books of contemporary "spirituality." He asserts that God can do nothing to prevent our suffering, whether it is caused by Gentile aggressors or raging cancer cells. Like President Clinton, the Lord of the Universe feels our pain. Otherwise, Rabbi Kushner pictures Him impotent, weeping quietly in some corner of Heaven, plucking tissues out of a Kleenex box the size of Jupiter.

We are ready now to put the modern Jewish cult of victimhood on the couch. Let's psychoanalyze ourselves. We agreed earlier that when a person fears something that he has no reason to fear, he would be wise to ask himself, as any good psychologist would do, what subterranean need he is fulfilling through his fear. What is it that we Jews gain, today, by obsessing over phantom anti-Semitism?

The key can be found in another classic statement of the authentic Jewish view of anti-Jewish persecution. It is in the Torah, in *parshat B'chukotai*. Here, in the Book of Leviticus, God explains to the Jews the ways He will reward us if we guard His commandments, and punish us if we do not. All of us, together. Among the punishments, there is an interesting line that describes the condition of modern American Jews perfectly: "the sound of a driven leaf shall chase them; and they shall flee, as one flees from the sword; and they shall flee when none pursues."

It is hard to think of a Jewish community in history that has been in much worse spiritual shape than our own. The universally lamented 50-plus percent intermarriage rate is only a symptom. The failure is not of the children who marry Gentiles, but of the parents, the grandparents, even the great-grandparents. We have quit teaching our children that God lives, that He loves us, that He wants a relationship with us—but that He wants something from us in return. That is not merely to be nice people, as some liberal rabbis would have us believe, but to observe the entirety of His Torah as almost all Jews did until about two hundred years ago.

We American Jews are not as ignorant as we seem. We know, in our souls, that we have gone astray; but, to borrow a hackneyed phrase of psychological jargon, we are in denial. We have a guilty conscience. We are unhappy about that. What can we do, what defensive strategy can we adopt, to lift the weight of guilt?

Fortunately for us, in the 1960s the Cult of Victimhood made its appearance. Black Americans were the first to embrace it. Its premise was that any ethnic or racial group that has suffered persecution is, by virtue of its victimhood, lifted to a state of moral superiority over everyone who has not suffered as much as they have. Soon homosexuals got in on the act. Even, incredibly enough, some Asian Americans have sought to compete for the honor of being named certified victims of America. I was intrigued recently by a subway advertisement for a gay cultural event that memorialized AIDS victims. The ad bore an image of a winged being in a white robe and halo, with the slogan underneath: "Another angel has gone to Heaven." In other words, anyone who suffers from AIDS can be considered, merely because he carries the disease, morally superior even to a supernatural extent: an angel. Victimhood used to be considered something about which a normal person would feel ashamed. No longer. Amid the clamoring of would-be victims we find—ourselves, American Jews.

The Cult of Victimhood performs two valuable services for us Jews with our guilty consciences. First, as it does for everyone else, it assures us that, whatever we know we are doing wrong, we are really angels. Our moral failures are turned into a guarantee of moral perfection. That's quite a relief.

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But it does something else for us, which it may not do for other groups. We believe that any hostility we can detect on the part of non-Jews is entirely unmerited. We have done nothing to deserve it. God isn't angry with us. And even if He were, He couldn't send dangerous Gentiles against us. Our God is the impotent Harold Kushner God, if we choose to acknowledge a God at all.

The function of our obsession with anti-Semitism is to remind us, on a daily basis, that that is the God we sort of, kind of, barely believe in. Every ADL newsletter; every big black fundraising envelope from the Simon Wiesenthal Center; every obsessive discussion of what Pat Buchanan or Pat Robertson may have said about Jews fifteen years ago or through some hack ghostwriter; every Holocaust book, film, poem, and painting; every monstrous Holocaust memorial in the parking lot of a JCC—they all declare, to our great relief, that anti-Semitism is meaningless. They declare this by failing to name God in any discussion of anti-Jewish persecution. They say that anti-Semitism is demonic. It doesn't come from God. God, if He exists, is in Heaven, weeping on His pillow.

We don't live like Jews, but that's alright. God doesn't mind. He isn't going to punish us for our disobedience. Our fear of Gentiles who don't like us, our made-up, manufactured fear, is the greatest comfort we can give ourselves.

The impulse to see anti-Semitism where it isn't is so powerful it infects Jewish culture at every level, among religious and secular Jews alike. Even New Square hasidim have absorbed this secular ethos from the Jewish society around them. If God, the true God, were to put us on the couch, I think that is what He would tell us. He would tell us there is no such thing as anti-Semitism, at least not the way we understand it. We American Jews aren't suffering at all right now. For us, life couldn't be better.

But anything can happen. And it just might.

David Klinghoffer *is Literary Editor of* National Review.

What a Woman Ought to Think

Margaret Kim Peterson

This is the "hiring season" for those of us in academia, the time of year when faculty search committees sift through piles of applications for teaching jobs for the coming academic year, and when Ph.D. candidates like me wait nervously for the telephone to ring with invitations for job interviews. The other day someone asked me a question familiar from past years: "So, does being a woman improve your chances in the job market?" The question brings with it echoes of the by-now familiar lines in job ads: "The college (or university, or seminary) is seeking to increase the diversity of its faculty. Applications from women and members of ethnic minorities are especially encouraged." Clearly, the expectation of my questioner is that I will say, "Yes. Of course it is to my advantage to be a woman scholar and teacher. That is what institutions want these days."

The reality is more complicated than that. I am a theologian, and when an institution decides it wants to hire a woman for its theology department, it is, in many cases, not just hiring another member of the department; it is hiring "the woman" for its department. Many departments of theology are still exclusively male, an increasingly embarrassing situation for many church-related institutions whose enrollments and religion majors are coming to include more and more women.

But precisely because hiring a woman theologian represents such a departure from previous practice, and because any woman hired will become the focus of a great deal of attention from students, faculty, administration, and alumni alike, it is extremely important to the institution that it hire a woman who represents properly the institution's ideal of a woman scholar. That is, it is vitally important that the institution hire a woman who thinks what a woman ought to think.

What ought a woman to think? Well, it depends on the institution. Some theologically conservative institutions want to hire a woman who is just as conservative, in just the same ways, as all the male members of the department. That way, the department can evade charges of androcentrism or misogyny by pointing to the woman member of the department and saying, "See? She thinks just like we do. We don't think as we do because we're men; we think as we do because we're right."

Other theologically conservative institutions, beset increasingly by the feminist and minority concerns of students, want to hire a woman more liberal than the incumbent members of the department who will serve as a sop for everyone disaffected with the reigning orthodoxy of the institution. Students unhappy with the institution can be mollified by the presence on the faculty of a woman who feels their pain, and the other members of the department can go about their business as usual.

The situation is somewhat different at theologically liberal institutions. Liberal institutions have their own orthodoxies, of course, and many of them revolve around issues of sexuality and feminism: the goodness of using feminine language for God, of

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employing feminist approaches to biblical interpretation, of affirming nontraditional patterns of sexual behavior. All faculty members at such institutions are expected to be at least tolerant of such views, but female faculty members are expected to champion them at every available opportunity, whatever their own academic specialty might be.

It is thus highly unlikely that the faculty of a liberal theological institution would even consider hiring a woman more theologically conservative than they. Many of the women, and men, on such faculties justify their modification or rejection of traditional Christian orthodoxy on the grounds that traditional views are offensive to and demeaning of women and other marginalized groups. It would be most peculiar, then, to have as a member of the faculty a woman who holds those traditional views, and does so in the conviction that they are liberating and life-giving.

All this makes it very difficult for me to get a job. I am a garden-variety Presbyterian, traditionally orthodox in a way that would be utterly unremarkable in a man, but which, in a woman, is apparently quite disconcerting, at least to some. Orthodoxy, after all, is something that flows both wide and deep. It is resistant to the sectarianisms of the right and of the left, preferring rather to focus on the central truths and patterns of the faith that speak to the common humanity of men and women, whatever their circumstances, and that have thus bound Christians together throughout the life of the Church and throughout the world.

But when many institutions think about hiring a woman for their theological faculty, they are not looking for a woman who will speak to the center of the faith. If they want anyone to do that, they probably already have a man doing it. What they want a woman to do is to deal with the edges, with the particularities of late-twentieth-century American theological liberalism or conservatism. They want a woman who is happy with the lines of the debate as they are commonly drawn, and who is willing to be on a given side of that debate.

That is not what interests me. I want to teach the Christian tradition, in its fullness and integrity, even—and especially—where that tradition challenges and qualifies contemporary assumptions about what the issues are. This does not make me a very good partisan in a lot of contemporary wrangles, however. This is apparently evident to the search committee members who review my resume. They can tell that I would not likely be a cheerleader for whatever party line or special interests they would like to hire a woman to promote. Whatever it is they think a woman ought to think, I don't think it.

I recognize that readers may take this as an extended classified ad for a job. I admit that I would not be disappointed if it worked as such. But I should point out that while I have here written specifically of myself, I am certainly not the only woman who wants to be engaged for what she thinks rather than for what others think she ought to think. And I am not the only woman to be thoroughly exasperated at being regarded first and only as a potential enemy or ally in an ongoing battle of sexual politics. There is more to me than that. There is more to any woman than that.

Ironically, it is in part my rather feminist upbringing that has landed me in my current position. My mother was impatient with the limits that society attempted to impose on young women of my generation, and encouraged me not to feel bound by those limits. I attended a nationally ranked women's college, where I learned to think and behave like an independent, self-confident human being, without worrying about whether it was all right for a woman to think and behave in such a way. In the course of my graduate studies, I have exercised that independence and self-confidence, finding my home in the Presbyterian Church and my calling in the teaching of historical and systematic theology. In so doing, I have become who I am, rather than someone else's idea of what a woman ought to be. But I wonder if I have also become unemployable.

Dorothy Sayers, in her essay *Are Women Human?*, remarks that men are typically considered both male and human, whereas women are just women—that is, men have both a human nature and a sex, but women are defined only by, and thus confined to, their sex. Ms. Sayers wrote her essay sixty years ago, but it still rings true today. It would be nice for the world to be a place in which I was regarded by everyone as a human being and a woman. Right now, though, I'd settle for one faculty search committee that decided I was the human being and the woman for their department.

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Remembering John Howard Yoder

December 29, 1927-December 30, 1997

Stanley Hauerwas

The 1978 *Festival Quarterly* featured a profile of John Howard Yoder. The interviewer asked John if he enjoyed his significance. "Oh, time has passed me by," he responded. (The questioner noted he said this "without feeling.") "I won't strategize making sure I get my monument."

Failing in his first effort to get Yoder to be introspective, the interviewer tried again by asking him if he was happy. "I haven't found it very useful to ask that question," John replied. But, he conceded, he was thankful. "So far our children haven't hurt their parents much. I have tenure. And I don't think I'll run out of Anabaptist sources."

For those of us fortunate to have known him, this exchange from *Festival Quarterly* is quintessential John Yoder. He viewed his own life with a godly indifference. Such indifference could be mistaken as a kind of arrogance, but it was anything but that. Yoder, born with extraordinary mental powers, had those powers shaped by a people for whom all power is a gift for service. Accordingly, he never sought a career, an authorship, or even personal influence. "I'm not concerned with building an empire," he told his interviewer.

I feel the duty to note for the record John's professorships at the University of Notre Dame and the Associated Mennonite Biblical Seminary, which he also served as president from 1970 to 1973. And I should mention his books as well. *The Politics of Jesus* (1972) was the best known; some of the others included *The Priestly Kingdom* (1984), *The Royal Priesthood* (1994), and *For the Nations* (1997).

Still, John's personal reticence puts anyone who comes to praise him even on the occasion of his death in a tough spot. As Christians we already know better than to try to insure we will not be forgotten—not, as the Stoics thought, because that is a fruitless task but because it is the deepest sign of unfaithfulness. Any attempt to insure our memory in this world is the denial of that community—the communion of saints—that John now enjoys. We also know that John would not like any of us to say anything about him that would seem to make him more important than what he most cared about, that is, God's nonviolent kingdom. As Michael Cartwright, one of the ablest interpreters of Yoder's work, observed, John has certainly gone to extreme lengths to make sure he did not have to respond to the *Festschrift* some of us are in the process of preparing.

Yet like it or not John changed my life, and I think he ought to be held accountable for that. Reading Yoder made me a pacifist. It did so because John taught me that nonviolence was not just another "moral issue" but constitutes the heart of our worship of a crucified messiah. Of course I know that John was never quite sure what to make of my "conversion" to nonviolence. He never sought easy victories. You have to work to read a lot of what John wrote, not because he wrote obscurely but because he found a way to publish in the most obscure places. Even though I had read much he had written, I suspect he suspected that my taking up his cause may have been too easy exactly because it fit too well with my general temptation to be "against."

At an event arranged by Father James Burtchaell to introduce new graduate students at Notre Dame to selected faculty members, John and I were asked to give short accounts of our life and work. John said he was a theologian only because he was no good at his father's greenhouse business in Ohio. He said he had no real field—dabbling in Reformation history, biblical studies, theology, and ethics. He did note that for many years he had written in defense of Christian nonviolence. But he confessed that as far as he knew, he had only convinced one person (me) to become a pacifist.

In truth I know I was a burden for John. In speech and writing John was exacting. He had the kind of exactness only an analytic philosopher could love. He never said more or less than needed to be said. Thus the response to the question about whether he was happy: "I haven't found it very useful to ask that question." Notice he did not say it is wrong to ask if one is happy, he said it is not useful. Such exactness can be quite exasperating. I, on the other hand, love exaggeration. Why say carefully what can be said offensively? I know that John, committed as he was to the ministry of careful speech, found exasperating how I said what I thought I had learned from him. Yet he was patient with me—which is but an indication that he knew he had to treat even me nonviolently. I know at times it was not easy.

I suspect that was particularly true given my polemical style. Among Mennonites John not only could be but was combative. But he approached those outside the Mennonite world, Christian and non-Christian alike, first as a listener. I kept getting into fights because of what I had learned from him; but far from giving me comfort, he thought I was at fault. In truth I think he was right. He knew how to be nonviolent because he had all those witnesses,

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those Anabaptist sources, to teach him how. So rather than showing the incoherence of this or that version of just war theory, John would try to find a way to hold advocates of just war to their own best insights. He really lived and thought that God is to be found in those whom we think to be our deepest enemies. As one new to the practice of nonviolence, I know that is a skill I can at best only dimly imagine, much less manage to live as John lived it.

Which means I simply cannot with truth accept his claims to his own insignificance. For many of us, Mennonite and non-Mennonite, he changed our world through how he lived and what he wrote. For example, I cannot imagine a meeting of the Society of Christian Ethics, a society in which John served as president, without John Yoder. I am sure that I, along with many others, will expect to see that enigmatic figure in the back row taking notes but saying nothing, though it may be a session on a topic that he knows more about than anyone in the world. (It was regularly the case at sessions of the SCE that he knew more about the topic than those doing the talking.)

So in a mode uncharacteristic of Yoder's way of working, I think it best to end with some of John's own words. This beautiful and exacting passage, beautiful because of its exactness, comes close to the end of *The Politics of Jesus.* I believe that what John said in it is not only the heart of his work, but also the heart of what it means to live as a disciple of Christ:

> The key to the obedience of God's people is not their effectiveness but their patience. The triumph of the right is assured not by the might that comes to the aid of the right, which is of course the justification of the use of violence and the other kinds of power in every human conflict; the triumph of the right, although it is assured, is sure because of the power of the resurrection and not because of any calculation of causes and effects, nor because of the inherently greater strength of the good guys. The relationship between the obedience of God's people and the triumph of God's cause is not a relationship of cause and effect but one of cross and resurrection.

Therefore it must be true, as John put it, that "the people who bear crosses are working with the grain of the universe." A life capable of producing the passage above is not replaceable. But the very God that makes such a life possible will, we can be sure, send us new, and no doubt quite different, John Yoders. In the meantime, we can rejoice in that grain of the universe God made present in the life of John Howard Yoder.

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A Philosopher of Virtue

Gilbert Meilaender

On November 6, 1997, the German Catholic philosopher Josef Pieper died at the age of ninety-three. Hearing that news reminded me of the first time I read his work. In a graduate course I had been assigned to read some sections on the virtues from the *Summa Theologica* and then, in addition, to read Pieper's *The Four Cardinal Virtues.* Dutifully I carried out my assignment. St. Thomas baffled me almost entirely; I understood very little of what I read, and the system seemed dry and obscure. By contrast, *The Four Cardinal Virtues* was profound and compelling, even though I knew it was in many respects a reworking of the (to me) foreign world of the *Summa.* What I learned about the theory of the virtues from all this I'm not sure, but I did learn something of what it means to inhabit a system of thought long enough to see the world in its terms. That was what Pieper had done. He had so digested Aquinas as to make him his own.

At the beginning of *The Silence of Saint Thomas* Pieper captures succinctly the impression Aquinas so often makes upon his readers. Reading the *Summa* one may, Pieper says, be tempted to ask: "Were these sentences really set down by a living man or did not rather the objective content formulate itself undisturbed—neither blurred nor warmed—by the breath of a living thinker?" St. Thomas lived in chaotic times, and his own life was largely shaped by controversy. Yet, Pieper writes, "it is certainly clear that the *Summa Theologica* can only be the work of a heart fundamentally at peace."

Josef Pieper likewise lived in turbulent times. A German reaching the peak of his adult powers in the mid-twentieth century—some of whose early works were confiscated by the Nazi government—he eventually found a wider readership in countries other than his native land. And the very form of his writing—succinct, distilled, simultaneously clear and elusive—gives evidence of a heart that was, despite the turbulence, fundamentally at peace. The truth of things, he believed, can be clarified because they have their origin in an infinite light. But that same truth remains elusive, beyond our complete comprehension, because the things whose truth we seek to know are bathed in an abyss of light into which we cannot look directly. Only in the beatific vision—the end toward which philosophy, the love of wisdom, is oriented—will those limits be overcome. That is the fundamental attitude Pieper found in St. Thomas and transmitted in his own writing.

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His death provides the occasion to re-commend his work to readers. His writings on the virtues are especially full of wisdom. He wrote not only on *The Four Cardinal Virtues*—prudence, justice, courage, and temperance—but also on the theological virtues. *About Love*, in particular, is a small gem of a work, and it—together with his small books on faith and hope—are now available in a single volume (from Ignatius Press).

Pieper emphasizes the close connection between moral and intellectual virtue. Our minds do not—contrary to many views currently popular—create truth. Rather, they must be conformed to the truth of things given in creation. And such conformity is possible only as the moral virtues become deeply embedded in our character, a slow and halting process. We have, he writes on one occasion, "lost the awareness of the close bond that links the knowing of truth to the condition of purity." That is, in order to know the truth we must become persons of a certain sort. The full transformation of character that we need will, in fact, finally require the virtues of faith, hope, and love. And this transformation will not necessarily—perhaps not often—be experienced by us as easy or painless. Hence the transformation of self that we must—by God's grace—undergo "perhaps resembles passing through something akin to dying."

However important the life of virtue may be, though, the more we attempt it the more we will realize its limits. Virtue is not, Pieper insisted, its own reward. It brings with it a kind of happiness, but no one can live by that happiness alone. "The 'Titan's' arrogance which wants nothing as a gift demands in reality not too much but too little." Consequently, the path toward virtue is an endless one never achieved solely by our own effort, and the virtue of hope—which teaches us that we are "truly en route as a *viator* up to the very moment of . . . death"—is essential. Indeed, in the face of death we realize the limits of the philosphical life. As Pieper put it in *Death and Immortality*: "Death cannot be overcome by thinking, nor by theological reflection. If it can be conquered at all, then only by something real, by life itself."

On the one occasion when I spoke with Pieper he told me a story that he also recounts in the first volume of his autobiography. In October of 1943, when he was temporarily on leave from military service and at home with his family in Münster, he and his wife decided to take their three young children to the zoo on a lovely, almost summery, afternoon. He took along his camera for the occasion and had taken pictures of the children just a few hundred yards from the house when they heard the air raid sirens begin to sound. As they got down into a trench, he suddenly recalled that he had not closed the garden door of the house. Running the short distance back to do that, he saw the American planes over the very center of Münster, and in a matter of moments the heart of the city was ablaze. Camera still in hand, he ran to the attic and took pictures of the city in flames.

And so it happened, he recalled, that on a single roll of film the contradictions of our century—and of human life more generally—are captured. Pictures of happy young children with their parents, heading off for an afternoon's enjoyment on a lovely October day. Pictures of the burning cathedral and town hall—surely not military targets—in the heart of the city. This is the world in which justice is hard to discern, courage not easy to come by, and hope difficult to sustain.

In the mind and the writings of Josef Pieper the Greek philosophical tradition and the Christian theological tradition met and enriched each other. In one of his characteristically succinct formulations Pieper himself once stated the connection in a way especially fitting if we seek to contemplate the significance of his life's work: "The ultimate perfection attainable to us, in the minds of the philosophers of Greece, was this: that the order of the whole of existing things should be inscribed in our souls. And this conception was afterwards absorbed into the Christian tradition in the conception of the beatific vision: 'What do they not see, who see him who sees all things?'"

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On Human Rights

The Universal Declaration of Human Rights Fifty Years Later:

A Statement of the Ramsey Colloquium

Fifty years ago, on December 10, 1948, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. The Declaration marked a decisive moment in the moral, cultural, and political history of the world. It gave powerful testimony to a widespread longing for freedom, justice, peace, and solidarity. Affirming the dignity of the human person, it specified and sought to secure certain freedoms and rights as essential to the protection of that dignity. The Preamble calls the Declaration "a common standard of achievement for all peoples and all nations," and as such the Declaration is itself one of the signal achievements of the modern world.

Written in the aftermath of World War II and the horrors that attended that conflict, the document was a response to the "barbarous acts which have outraged the conscience of mankind." The subsequent fifty years have not been lacking in barbarous acts that outrage the conscience of mankind. In 1948, one form of totalitarianism had been defeated, but other threats to the idea of human rights remained, generating confusions in the understanding and application of the Declaration. Such confusions were exacerbated by the presence among the victorious powers of another totalitarian system. After the demise of Soviet Communism in 1989-91, it was hoped that the Universal Declaration might be universally affirmed with greater clarity and persuasive force. That has not happened. Instead, the end of the Cold War has witnessed other distortions in the understanding of human rights.

THE RAMSEY COLLOQUIUM *is sponsored by the Institute on Religion and Public Life. The Colloquium is a group of Jewish and Christian theologians, ethicists, philosophers, and scholars that meets periodically to consider questions of morality, religion, and public life. It is named after Paul Ramsey (1913-1988), the distinguished Methodist ethicist.*

We must frankly recognize that, in both theory and practice, the Universal Declaration of Human Rights is today under attack. The very idea of universal human rights is challenged from several directions, and must therefore be given a more secure grounding in religious, philosophical, and moral reason. As believing Christians and Jews, our purpose is to help provide such a grounding in a way that is faithful both to the text of the Declaration and to the intentions of its authors. We readily acknowledge that ours is not the only way of understanding the Declaration. We believe that it is a way that invites firm adherence to the Declaration by Christians and Jews, and we hope it will be convincing to many others as well.

While both biblical faith and the philosophical tradition of natural law offer profound illuminations, we welcome diverse ways of affirming the universality of human rights. Every constructive analysis will aim at strengthening the Declaration as an instrument for the defense of human rights by providing a coherent and integrated interpretation that protects the document from the distortions to which it has too often been subjected.

The Dignity of the Human Person

Attacks on what we would call the human rights project take several forms. They all end up by denying, implicitly or explicitly, the inherent dignity and worth of every human being. Alluding to the Charter of the United Nations, the Declaration says that the nations have "reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom" (Preamble). The keystone of this reaffirmation is the dignity of the human person.

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In ancient and still continuing practices such as torture and slavery, the human person is subordinated to economic, political, or other ends. Respect for human dignity is also made contingent upon distinctions "such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status" (Article 2). Today, human beings are increasingly ranked by a "quality of life" index, and some lives are deemed not worth living (the contemporary equivalent of the Nazi *lebensunwertes Leben*—life unworthy of life). This degrading of human lives is evident in proposals for coercive population control, as well as in the return of eugenics in various manipulations of human reproduction. In population control, euthanasia, abortion, and eugenics, the human person is treated as an object or product to be used or eliminated according to the purposes of those who have power over others.

Indispensable Truths

Today's theoretical attack on the Declaration frequently involves the denial of the universality of human nature, and even of human nature itself. Moreover, the truth about the unity of the human family—an indispensable presupposition of the Declaration—is denied by those intellectuals who deny the possibility of "the truth" about anything. The Preamble of the Declaration recognizes that the truth "of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world." The very first article declares the truth, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Such are the foundational and indispensable truths upon which any credible affirmation of universal rights must be based. Although the formulation of these truths has a cultural history, they are not the possession of any one culture, nor does their universal recognition constitute a cultural imposition upon others. The appreciation of cultural diversity is closely related to the advance of freedom and should be carefully nurtured. Multiculturalism that takes seriously our undeniable and important differences within the human community is to be warmly welcomed. Multiculturalism that claims all truths are only cultural constructs necessarily denies the truth of the human community. In the absence of that truth, the Universal Declaration is an exercise in sentimental delusion.

There is today a curious and dangerous convergence between philosophical nihilists and radical multiculturalists, on the one hand, and, on the other, those states that reject the idea of universal human rights as an instance of cultural imperialism. Complaints about the cultural "imposition" of ideas about universal human rights are, more often than not, in the service of nationalism, racism, ideology, or power politics—or all of these in combination. Thus educated elites in some countries join forces, wittingly or otherwise, with despotisms in various parts of the world that denigrate the dignity of the human person and the rights attending that dignity.

The Source of Rights

The inviolable dignity of the human person is derived from and directed to that which transcends the authority of the state. Article 1 declares that the person is "endowed with reason and conscience," and reason and conscience direct the person to the source of that endowment. This orientation is typically expressed in religion. The Declaration affirms: "Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance" (Article 18). Because religion most directly addresses the foundation of human dignity, religious freedom is the source and safeguard of all rights and freedoms.

For most people, religion is a communal and public commitment, underscoring the fact that the person is not simply an isolated, autonomous individual but a person in solidarity with others. This solidarity is underscored also in other communities of memory and mutual aid, and most particularly in the family. The Declaration affirms, "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State" (Article 16). In such communities people keep faith with the allegiances that give meaning to their lives.

Respect for human rights requires the protection of the communities and associations by which a culture of human dignity either flourishes or dies. We know from historical experience that, when these communities are weakened or destroyed, individuals become abstract instruments of collective power and the way is opened to tyranny and totalitarian control. The state is the servant and not the master of the communities of allegiance in which free persons express their identity and solidarity with others.

A Developing Grammar

The Declaration's language of universal human rights is not the only moral language available to us in confronting threats to human dignity. It is, however, a language deeply rooted in our shared history, drawing on ancient and variously expressed precepts to respect the neighbor. Moreover, in our time the language of universal human rights is the most available discourse for cross-cultural deliberation about the dignity of the human person. The language of rights might be viewed as a developing grammar that

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makes possible a truly universal dialogue about our common human future.

Rejecting the moral nihilism that gave rise to the "barbarous acts which have outraged the conscience of mankind," the Declaration affirms that we have obligations to one another arising from our participation in a common humanity and common moral order. If the dialogue about our common future is to be secured and advanced, we must be able to give a reasonable account of such obligations. As Jews and Christians, we recognize that we have obligations in justice to God the Creator and to the entire human family of his creation. All human beings are endowed with basic rights by God, in whose image they are created. These rights and their corresponding obligations are indispensable aspects of the universal moral law. Such rights and obligations are intimately and necessarily related. The contemporary habit of speaking about rights apart from obligations is alien to the biblical tradition and, we would argue, alien to the logic of the Universal Declaration.

To speak of a universal human nature and of universal human rights is not to deny the pluralism that marks the human condition. Universality and particularity are not to be pitted against one another. It is through particular traditions that we come to an understanding of the universal. The universal human experience is to discover that the other is different. The Declaration invites us to recognize that the other is different within a universal human experience. Our very capacity to engage our differences testifies to our unity.

The truths of universal moral order, of human dignity, of solidarity, and of obligation are not self-evident in the sense that they have been or are now acknowledged by everyone. The Declaration itself was occasioned by events in massive opposition to these truths—by totalitarianism, world war, and genocide. One must make a reasoned decision about these truths, and in that sense the United Nations Charter and the Declaration reaffirm "faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women." That the nations were in 1948, in the face of so much evidence to the contrary, able to reaffirm such faith is itself reason for hope.

The Accountability of Nations

Among the great achievements of the Declaration is to establish the principle that nations are accountable to others for the way they treat their own people. This is an achievement of historic proportions. It has contributed powerfully in our time to the spread of the idea of human dignity, the growth of democracy and constitutionalism, and the demise of authoritarian and totalitarian governments. Our hope that the world will continue on this course is not a matter of mere optimism or naive belief in historical progress. The potential for good and evil is equally present to every moment of history. The Universal Declaration is not an achievement secured once and for all. It embodies a project that is still young and vulnerable. The writers of the Declaration were keenly aware of differences and disagreements about both the scope and the nature of human rights. They recognized that "a common understanding of these rights and freedoms is of the greatest importance for [their] full realization" (Preamble). Fifty years later, it is obvious that such a common understanding is by no means secure.

Nations still defy the principle of accountability to others. Today, nations of considerable size and influence attempt to justify the violation of human rights by appealing to "national interest" or "diverse cultural traditions" and claim, in the name of state sovereignty, that such actions are exclusively a matter of domestic concern. Moreover, in a time of global economics, even nations that are more respectful of the Declaration are pressed by interested parties to give economic considerations precedence over the moral imperatives of human rights.

Rights Against Rights

In addition, human rights are threatened in the name of human rights. When claims to rights are severed from the just requirements of morality and the common good, the inevitable result is a distorted understanding of human rights that all too often leads to the violation of the rights of others. There is, moreover, a powerful inclination to pick and choose among human rights, which results in favoring some (e.g., the right to privacy) at the expense of others (e.g., the rights of the family). Such selectivity undermines the necessary connections between rights, wrenching "favored" rights out of context and weakening "disfavored" rights.

Also in the name of human rights, the number of rights is multiplied to the point that the very idea of rights is dangerously diluted. The Declaration is neither exhaustive nor perfect in its articulation of rights. But the essential rights specified by the Declaration are weakened by multiplying the number of interests, goods, and desires that are elevated to the status of rights.

A most particular threat to the human rights project is the coercive use of foreign aid and other international programs in order to advance alleged rights related to procreation, population control, and the independence of children from their parents (in the name of "children's rights"). Such putative rights as, for instance, the right to abortion not only have no warrant in the Declaration but clearly violate its insistence upon the rights of the family, of religion, and of conscience. Efforts to promote such changes in the guise of human rights are correctly condemned as egregious instances of "cultural imperialism" by which elites of certain rich nations, not least of the United States, attempt to impose their values on the

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rest of the world.

A better understanding of the Declaration is a strong guard against such abuses. The rights specified by the Declaration do not compose an arbitrary list of disparate goods that are to be protected. It is necessary to reread the Declaration as a whole in order to see the logic and coherence of its claims. Far from asserting a random collection of unconnected rights, the Declaration is an integrated document that turns on a concept of the human person in community, and of the free and just society required for human flourishing.

Freedom for Community

The Declaration lifts up the crucial importance of the individual. Almost all of its thirty articles begin with the word "Everyone." As we have seen, however, this "everyone" is not an isolated, solitary bearer of rights but the person in community. In addition to the family and religion, the Declaration recognizes communities of work (Article 23), of cultural life (Article 27), and of political participation (Article 21). In the last instance, it is asserted that "the will of the people shall be the basis of the authority of government." In the sphere of education, it is said that "Parents have a prior right to choose the kind of education that shall be given to their children" (Article 26). This theme of the communally situated "everyone," in which freedom is understood not simply as freedom from community but as freedom for community, is an often neglected integrating feature of the Universal Declaration.

Article 29 succinctly summarizes this theme: "Everyone has duties to the community in which alone the free and full development of his personality is possible." The exercise of rights and freedoms is limited "for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order, and general welfare in a democratic society."

The protection of human rights is the business not just of the state but of "every individual and organ of society" (Preamble). The understanding that society has many organs invites us to view human rights in the light of the teachings of "subsidiarity" and "spheres of sovereignty." Subsidiarity means that authority has been vested in and should be exercised by those communities closest to the persons most affected by decisions. Such communities possess a sphere of sovereignty that is to be respected, limited only by the undeniable demands of the common good. In sum, an integrated reading of the Declaration makes clear that it is neither individualistic nor statist, but a charter of rights for the flourishing of persons in community.

Inviolable Rights and Just Claims

Many confusions have stemmed from different uses of the term "right" in different sections of the Declaration. Articles 3 through 20 refer chiefly to what must not be done to people; Articles 22 through 27 refer chiefly to what should be done for people. The latter obligations, as noted in Article 22, are conditioned upon the "organization and resources of each State." These obligations are not generally enforceable by law. How or whether these goods are provided depends upon political decision and economic circumstance.

There is no doubt that work, an adequate standard of living, health care, food, clothing, housing, and education are all human goods that are, as the Declaration says, "indispensable for [a person's] dignity and the free development of his personality" (Article 22). Support for the Declaration entails a recognition that we are all obliged to strive to make such goods available to all members of the human family. The Declaration does not specify how we are to strive toward that goal—whether through state policy, international initiatives, market dynamics, voluntary action, charity, or all of these combined. But there must be no question about the goal.

In retrospect, it would have been better if the human goods specified in the last six articles had been described as our duties of solidarity rather than as the rights of others. We can always not do the wrong that is not to be done (such as violating the rights of others); we cannot always do the good that we ought to do or want to do (such as ensuring basic economic goods for all). We recognize, however, that the political exigencies of the time seemed to require the conflation of these distinct commitments under the one title of "rights."

For almost fifty years, the influence of collectivist and totalitarian regimes created a confusing moral symmetry between civil and political rights, on the one hand, and economic and social rights, on the other. There is now no excuse for continuing this confusion. A renewed adherence to the Universal Declaration of Human Rights requires a clearer distinction between rights as endowments that we must never violate and rights as claims that we must strive to satisfy. The former are the certain possession of all people; the latter are the just claims of all people. The former can and must be guaranteed by law; the latter can and must be met as a duty of solidarity.

Conclusion

The framers of the Declaration knew that they could not at that time spell out fully the moral and philosophical reasons undergirding universal human rights. The agreement among nations was tenuous; the conflict between democratic and totalitarian forms of government was intense. In view of the circumstances, the measure of moral and philosophical coherence that was achieved is remarkable. Despite the threats discussed above, our time may be more propitious for giving a fuller account of the human rights project, for clarifying its scope, strengthening its foun-

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dations, and keeping it on a straight path.

As Jews and Christians informed by the biblical understanding of the one human family created, sustained, and judged by the one God of all, we have here attempted to contribute to such an account of the human rights project. We invite others to offer from their own traditions alternative ways to clarify, strengthen, and direct this great enterprise. Thus, building on the work begun in 1948, we may be able to develop together a grammar for a universal dialogue about our common human future. Nothing less than that is required of those who are the heirs and guardians of the historic achievement that is the Universal Declaration of Human Rights. FT

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Reflections on the UDHR

Mary Ann Glendon

The Universal Declaration of Human Rights, adopted by the UN General Assembly in December 1948 and widely recognized as the "constitution" of the modern human rights movement, approaches its fiftieth anniversary amidst considerable turmoil. The prevailing approach to the rights it contains is pick-and-choose, cafeteria-style. The universality principle itself has been challenged, sometimes by governments claiming all rights are relative, sometimes by those who charge that universality is a cover for cultural imperialism. The latter accusation acquires credibility as UN conferences begin to resemble off-shore manufacturing sites where special interest groups strive to convert their agendas into new rights to be brought back home, or imposed on the developing world, as "international standards."

In researching the history of the Universal Declaration, I have been struck by the degree to which the men and women who framed the Declaration anticipated such problems. As a lawyer, I am impressed by the skill of the drafters, and by the safeguards they devised to help minimize future difficulties. They were well aware that no document, however skillfully crafted, could immunize their project from abuse, but they were convinced that progress in respecting human dignity required a framework based on a few commonly held principles.

The problem of universality loomed large from the moment the idea of an "international bill of rights" was conceived. In 1946, UNESCO appointed a committee composed of many of the leading thinkers of the day to study the feasibility of framing a charter of rights for all peoples and all nations. The committee began by sending a detailed questionnaire to statesmen and scholars in every part of the world. To their surprise, they found that the lists of basic rights and values they received from their far-flung sources were essentially similar. But as Jacques Maritain (one of the most active members of that committee) famously remarked, "Yes, we agree about the rights, but on condition no one asks us why."

Maritain and his colleagues did not regard the lack of consensus on foundations as fatal. The fact that an agreement could be achieved across cultures on several practical concepts was "enough," he wrote, "to enable a great task to be undertaken." More serious, the philosophers realized, would be the problems of arriving at a common understanding of what the principles meant, of reconciling tensions among the various rights, of integrating new rights, and of incorporating new applications. In that connection, Maritain pointed out that if the document were not to be a mere hodgepodge of ideas, it would need a tuning fork or "key" according to which the rights could be harmonized. Everything depends, he said, on "the ultimate value whereon those rights depend and in terms of which they are integrated by mutual limitations."

The UNESCO committee's rapporteur, Richard McKeon, anticipated another problem. Different understandings of the meanings of rights usually reflect divergent concepts of man and of society, which in turn cause those who hold those understandings to have different views of reality. Thus, McKeon correctly predicted that, down the road, "difficulties will be discovered in the suspicions, suggested by these differences, concerning the tangential uses that might be made of a declaration of human rights for the purpose of advancing special interests." That is a philosopher's way of saying, "Watch out, this whole enterprise could be hijacked."

The project passed from the philosophers' committee to the group assigned to do the actual drafting, the UN Commission on Human Rights, chaired by Eleanor Roosevelt. The task that faced the Commission was daunting. Drafts, proposals, models, and ideas had poured in from all over the world. How could they ever be sorted, evaluated, and integrated into a document that the then fifty-eight member nations of the UN would find acceptable? The framers might have ended up like the architects and builders in Pieter Brueghel the Elder's rendition of the Tower of Babel. Brueghel shows them huddled

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together in a corner, poring despondently over their plans. Behind them looms their disaster, constructed by a consortium, each member of which seems to have had a somewhat different conception of what the whole should look like. Happily for the Universal Declaration, the eighteen-member Human Rights Commission chose to put a single author in charge of the drafting process.

The choice fell to one of the most accomplished jurists of the twentieth century, René Cassin, who had been General Charles de Gaulle's principal legal adviser during World War II. What was especially fortuitous about the choice of Cassin is that he was a master of the art of legislative drafting, a craft skill that has remained relatively undeveloped in the Anglo-American common-law countries, but that was brought to a high level of refinement in code-based legal systems like that of his native France.

That professional background facilitated Cassin's response to Maritain's call for an interpretive matrix. The Preamble and the Proclamation, as well as Articles 1 and 2 of the thirty-article Declaration, belong to what in continental legal terminology is called the "general part." These sections set forth the premises, purposes, and principles that are meant to guide the interpretation of the specifically enumerated rights in Articles 3 to 27. The Declaration's last three articles, again, contain interpretive guides, contextualizing rights in relation to limits, duties, and the social and political order in which they are to be realized.

It was at Cassin's insistence that a Declaration purporting to be universal should begin with a statement of what all human beings have in common. Thus the first article begins, not with a right, but with a statement about the human person.

> *Article 1.* All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

It tells us much about the spirit of Cassin, a secularized French Jew who had lost twenty relatives in concentration camps, that he insisted on beginning this document with an affirmation of faith in human conscience and rationality. In 1968, that largeness of spirit was recognized when he received the Nobel Peace Prize for his work on behalf of human rights.

As for the "key" in which the various rights were to be "harmonized," the Universal Declaration belongs to a family of postwar rights instruments that accord their highest priority to human dignity. This is signaled by the prominence and strategic placement of references to dignity in the document.

Also guiding the interpretation of dignitarian rights documents like the Declaration is their implicit image of the rights-bearer. The "everyone" whose rights are recognized is not the radically autonomous individual of recent American court decisions. Rather, he or she is portrayed throughout the document as situated in families, communities, workplaces, associations, religious groups, societies, and nations.

Cassin's deftness is evident in his treatment of the "new" social and economic rights. Contrary to a view that acquired currency during the Cold War years, the Declaration's articles dealing with rights to work, unionization, education, and so on were not included as concessions to the Soviets. They enjoyed wide support from the liberal democracies, a fact that is hardly surprising in view of their resemblance to the "second Bill of Rights" proposed in FDR's 1944 State of the Union message, and to the social rights and obligations that were becoming standard features of most postwar constitutions. Agreement on the precise content of these articles, however, was extremely difficult to achieve. England, in particular, wanted these rights to be handled in a separate document. The Soviet Union, for its part, opposed any language that would appear to relegate such rights to an inferior rank.

Cassin resolved the impasse by drafting a "chapeau" article, a kind of mini-preamble introducing the provisions dealing with social and economic rights. The chapeau tried to satisfy the Soviets by making clear that the new rights, like the old, are importantly related to human dignity. It met the English concerns by establishing that the new rights were different in kind, if not in importance, from traditional political and civil liberties. They are dependent on "the organization and resources" of each state (Mrs. Roosevelt's language) in a way that, say, the right to be free of torture is not.

Cassin provided the Declaration with several features designed to protect the universal rights idea from misuse. For example, the penultimate article specifies that one not only has rights but duties, and that one's rights can be limited by "the rights and freedoms of others, and . . . the just requirements of morality, public order, and the general welfare in a democratic society." Noteworthy as well is the document's recognition that participation in important mediating structures of civil society, such as religious groups and unions, needs to be protected, and that the family is a subject of human rights protection in itself.

Yet another important feature is the Declaration's implicit embodiment of the principle of subsidiarity. As its "Proclamation" clause makes plain, the Declaration is not a legally binding instrument, but "a common standard of achievement for all peoples and all nations." Though many of its provisions later appeared in treaties binding on the signatory nations, the authors of the Declaration were well aware that, as the Commission's rapporteur Charles

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Malik put it, the most effective defense of human rights would always be domestic, "in the mind and the will of the people" as reflected in national and local laws, and above all, social practices. They had read their Tocqueville.

In sum, the architects of the Universal Declaration did their best to allay concerns about the coherence and feasibility of the universal rights idea. Thanks to Cassin, the Declaration is no mere list, or "bill," of rights. It possesses an integrity that has considerable strength when the document is read as it was meant to be read, namely, as a whole.

Cassin's draft, however, was only the beginning. It took another extraordinary individual to shepherd it through the process of deliberation and revision that led up to adoption by the General Assembly. That man was Malik, a Lebanese philosophy professor whose diplomatic skills were as finely honed as Cassin's legal talents.

Malik steered the draft Declaration through eighty-one difficult meetings in the tense international atmosphere that prevailed in the fall of 1948. His fluency in many languages, including Arabic, French, and English, enabled him to move easily between East and West, and between large and small nations. He made the most of the fact that the document reflected broad consultation and consensus, and he took pains to point each country to the places in the Declaration where it could find either its own contributions or the influence of the culture to which it belonged. In December, the Declaration was adopted without a single dissenting vote, though eight countries, including the Soviet bloc, abstained. In the end, the inclusion of social and economic rights meant less to the Soviets than the perceived need to resist the slightest derogation from the old principle that how a nation-state dealt with its own citizens was no concern of other nations.

Today, when one reads what Maritain, McKeon, Cassin, Malik, and Roosevelt wrote many years ago, it is striking that they foresaw nearly every problem their enterprise would encounter—its buffeting from power politics, its dependence on common understandings that would prove elusive, its embodiment of ideas of freedom and solidarity that would be difficult to harmonize, and its vulnerability to misuse.

Nevertheless, they hoped that with improved means of communication, and with the accumulation of experiences of successful cross-cultural cooperation, the difficulties confronting their enterprise would be reduced and its benefits gradually realized. And indeed, so far as many traditional political and civil rights are concerned, the years have seen impressive progress, even if not as steady or rapid as was hoped.

As for the main challenge, Maritain said it best. Whether the music played on the Declaration's thirty strings will be "in tune with or harmful to human dignity" will depend primarily on the extent to which "a culture of human dignity" develops.

To the disappointment of the framers, however, the adoption of the Declaration was followed by nearly two decades during which the international human rights project floundered and stalled amidst Cold War politics. When the Declaration woke up, so to speak, it was like Rip Van Winkle, who went to sleep for twenty years and awakened to find himself in a world from which his friends had disappeared, and where no one recognized him.

By the late 1960s, the architects of the Declaration were mostly departed or inactive, and in their place was forming an extensive human rights industry. The giants of the industry are organizations heavily influenced by the ideas about rights, both good and bad, that were developed in the American judicial rights revolution. The Declaration itself began to be widely, almost universally, read in the way that Americans read the Bill of Rights, that is, as a string of essentially separate guarantees. Alas, that misreading of the Declaration not only distorts its sense, but facilitates its misuse.

It would be a fitting tribute to the hopes and dreams of the men and women of '48 if friends of human dignity the world over celebrated the fiftieth anniversary of the Declaration by reading it—and pondering its structure. The flaws of the human rights project, I would suggest, are less in that document than in ourselves.

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Elliott Abrams

The disrepute into which the United Nations and several of its organs, including the General Assembly and UNESCO, fell at various times during the Cold War years has taken its toll on what might otherwise be greater conservative respect for the Universal Declaration of Human Rights. It was easy enough, and indeed logical, to conclude that almost all the progeny of that organization would share in its seemingly steady decline into a moral relativism that threatened fundamental concepts of human rights. And since the UDHR was used to provide support for the usual Soviet defense of Communist human rights violations—the notion that "we respect our favorites, the economic rights, while you respect yours, the political rights"—the document was often viewed with derision.

On its fiftieth anniversary, it is easy to see why all this was so; yet it is equally evident that this assessment was wrong. The UDHR provided then and

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provides now powerful ammunition for those fighting in the cause of human rights, and deserves a bit of rehabilitation.

Human rights treaties in general, not just the UDHR, were often viewed with real suspicion by those in the West who zealously fought the terrible evil of communism. First, it was obvious that the Communist side was violating them before the proverbial ink was dry, thereby apparently discrediting the whole idea of signing such agreements. Moreover, the whole process of negotiation was disagreeable: sitting down with butchers, or at least apparatchiks, as if we took their claims with the slightest seriousness. Then there was their reprehensible "philosophical" approach, where they would give us spurious data about how many doctors they had or apartments they had built, and claim that this meant human rights in Moscow or Bucharest or wherever were in fine shape. And this would come wrapped in an argument about cultural differences meant to suggest that while freedom of speech might be valued in Vermont, people in Warsaw or Hanoi cared little for such Western phenomena.

So by the advent of the Reagan Administration, many anti-Communists had concluded that human rights treaties and agreements were a trap, likely to hurt the cause more than they helped it. And they were often right, but not because there was anything fundamentally wrong with such documents. Rather, the documents had done harm because the Communists had known how to prostitute them, while we in the West had been weak and confused about how to use them as weapons. During the late 1970s this began to come clear in the Helsinki Process, as it was then known. "Basket Three" of the Helsinki Accords (signed in 1975) contained human rights provisions of a normal variety similar to provisions in the UDHR, which was why the Soviets ultimately signed them.

But now there was a "process" attached, and if President Carter felt we had an "inordinate fear of communism," others understood that we could now draw attention to the Communists' inordinate fear of political freedom. Many conservatives remained skeptical of any human rights dialogue with Communists, and many liberals remained mired in relativism and the fear of offending the other side with our "posturing." But we began to pound away, under the early leadership of such men as Henry M. Jackson and Max Kampelman. When the Reagan Administration came into office, we made an early decision to send Kampelman back into the fray and to accompany him with the likes of Michael Novak and Richard Schifter. This was a bipartisan and increasingly popular effort, for it was quickly apparent that we had the Soviet side on the defensive.

And what worked in the Helsinki process proved to work at the United Nations as well. The UN Human Rights Commission, long known for bashing Israel while defending despots, was soon a real battleground where the West could win as well as lose. When we were unable to bring change to UNESCO and its undermining of press freedom, we left and took our money with us. This was the beginning of a long struggle that, in the end, removed its management and changed its internal culture, as well as providing an object lesson about U.S. determination to other UN bodies.

In those last years of the Cold War, the West was on the human rights offensive nearly everywhere. Surely the point has been proved, again and again, that confrontation and debate on human rights issues played an important role in our victory. Yet the suspicion of the UDHR has remained, a relic of the days when the document was more likely to be cited by a commissar than by a congressman. For two reasons that this brief history may have helped illuminate, that suspicion needs rethinking.

First, we face as much today as we did during the Cold War the argument about relativism. Indeed, this argument was wonderfully encapsulated last year by the head of the Chinese government, Jiang Zemin, in his scientifically illiterate statement that just as Einstein's theory had proven that everything in the physical world was relative, so we must understand that all is relative in the world of politics. You protect demonstrators, we shoot them; who's to say what's right? Versions of this argument can be heard from every dictator, or at least every one outside the West, and not least from the remaining Communist rulers and from certain parts of Islam. In truth, the struggle between universalism and relativism remains fierce, and the UDHR therefore remains an important weapon in combating human rights violations.

Second, there is the very old dispute about "internal affairs." It was a standard Soviet line that our human rights complaints against them constituted an intervention in their internal affairs that was itself barred by international law. The Helsinki process, as noted, helped blow that theory apart. During the Reagan years we used to joke about it: that Bulgaria, for instance, was a country that did not have the right to intervene in its own internal affairs. But now the argument is back, and national sovereignty is again being pitted against universal human rights. And here again the UDHR, applicable to all nations and extending therefore beyond the borders of the West, can be a most valuable weapon.

It is not without weaknesses, and this should be acknowledged. That old dispute about economic and social rights can be carried on under the UDHR by rulers willing to employ it. In some versions it becomes a basis for whipping the Western industrialized countries for their alleged social policy failures, but the power of this argument is really not very great, and as an argument against the UDHR it is

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weak. This is because the collapse of communism revealed finally and indisputably that that system had in fact achieved little but misery wherever it held sway, and had at the same time devastated the environment during the precise decades when free countries were achieving unimaginable (and very widely shared) gains in our standard of living and in environmental protection.

Sometimes we still hear that political rights are given no pride of place in the UDHR, and that it regards economic and social rights as equally important. The very worst one can say is that this may be true, but we must insist that this view provides no solace for dictators: if they are all of equal dignity, what gives any government an excuse to disregard and abuse the political rights? Nowhere in the UDHR is it accepted that political rights may be postponed until a certain per capita income level is reached. As the statement "On Human Rights" suggests, most of us would have preferred language that distinguished political rights from economic and social goods or goals. Yet we can live with the language of the UDHR not only because it provides so much ammunition for the human rights struggle, but also because the conflation of immediate rights with desirable goals in truth confuses no one. If it provides a linguistic haven for dictators, it does not fool their own populations for a moment. It is fodder for the diplomatic spokesmen of dictatorship, but there will rarely be a citizen anywhere who accepts that men may be jailed, beaten, or killed for speaking their minds because the government is focusing "for now" on housing policy.

Throughout the Cold War we struggled to insist on the universality of human rights, and the universality of our understanding of how to define them. The UDHR is irreplaceable and invaluable because it makes that precise claim and every government in the world has signed on. In many of the human rights struggles of the coming years it will be our weapon of choice, and we ought to pause in gratitude to those who fifty years ago designed that weapon and put it in our hands.

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Leaving Sixty

A neighbor's cat ambled by, wetting our sand
casually, as natural as lions
in the Kalahari marking their range. That cat
killed a squirrel, sniffing to be sure it died.
We saw her crouched by our porch
in a heap of leaves, not really eating.
Later, I hauled it off, the dumpster loaded
with leaves, dust in the air, spring cleaning,

sneezing when we walked to the park and back,
cats and squirrels everywhere, the leash law
only for dogs. At noon, the drowsy cat
sauntered across the road toward home, yawned,
and leaped to the porch like a baobab tree's
wide bough, lolled like a lion, eyes closed
with one paw dropped, tail flopping,
scheming another hunt, of a wide-eyed
panting impala as jaws snatched the throat
for a better hold and squeezed.

Walt McDonald

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Universal Declaration of Human Rights (1948)

The Universal Declaration of Human Rights was adopted and proclaimed by the General Assembly of the United Nations on December 10, 1948, through Resolution 217A (III). There were forty-eight votes for the Declaration, none against, and eight abstaining (White Russia, Czechoslovakia, Poland, Saudi Arabia, Ukraine, USSR, South Africa, and Yugoslavia).

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for an observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore, the General Assembly

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional, or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing, or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty, and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel,

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inhuman, or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention, or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.
2. No one shall be held guilty of any penal offense on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from nonpolitical crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Men and women of full age, without limitation due to race, nationality, or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the

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authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work, and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care, and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available, and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, and friendship among all nations, racial, or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts, and to share in scientific advancement and its benefits.
2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary, or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order, and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group, or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein. FT

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Abortion: A Failure to Communicate

Paul Swope

For twenty-five years the pro-life movement has stood up to defend perhaps the most crucial principle in any civilized society, namely, the sanctity and value of every human life. However, neither the profundity and scale of the cause, nor the integrity of those who work to support it, necessarily translates into effective action. Recent research on the psychology of pro-choice women offers insight into why the pro-life movement has not been as effective as it might have been in persuading women to choose life; it also offers opportunities to improve dramatically the scope and influence of the pro-life message, particularly among women of childbearing age.

This research suggests that modern American women of childbearing age do not view the abortion issue within the same moral framework as those of us who are pro-life activists. Our message is not being well-received by this audience because we have made the error of assuming that women, especially those facing the trauma of an unplanned pregnancy, will respond to principles we see as self-evident within our own moral framework, and we have presented our arguments accordingly. This is a miscalculation that has fatally handicapped the pro-life cause. While we may not agree with how women currently evaluate this issue, the importance of our mission and the imperative to be effective demand that we listen, that we understand, and that we respond to the actual concerns of women who are most likely to choose abortion.

The importance of a new approach became clear from the results of sophisticated research pioneered by the Caring Foundation, a group that presents the pro-life message to the public via television. This group has been able to tap into some of the most advanced psychological research available today, so-called "right brain" research. (The distinction between "right brain" and "left brain" activity may be physiologically oversimplified or even wrong, but it remains useful as a shorthand description of different ways of thinking.)

The right side of the brain is thought to control the emotional, intuitive, creative aspect of the person. Whereas most research involves analytic, rational questions and thus draws responses primarily from the left side of the brain, "right brain" research aims to uncover the underlying emotional reasons why we make particular decisions or hold certain beliefs. Such an approach has obvious applications to an issue such as abortion, as a woman in the grips of a crisis pregnancy certainly does not resolve this issue in a cold, logical, "left-brain" manner.

These studies were carried out by a national leader in this type of research, one that has worked with companies such as General Motors, Ford, Coca-Cola, Toyota, Whirlpool, ABC Television, Federal Express, GTE, Saturn Corporation, Maybelline, and the Department of Defense. The technique used is a series of in-depth, one-on-one interviews that utilize visualization, repetition, and relaxation to evoke deep-seated emotional responses to a given topic. The results of these studies, which were conducted in 1994 and 1997, can be accepted at a better than 95 percent confidence level.

One objective of the research was to answer a question that has baffled pro-life activists for some time. How can women, and the public in general, be comfortable with being against abortion personally but in favor of keeping it legal? Because pro-lifers find it morally obvious that one cannot simultaneously hold that "abortion is killing" and "abortion should be legal," they have tended to assume that people need only to be shown more clearly that the fetus is a baby. They assume that if the humanity of the unborn is understood, the consequent moral imperative, "killing a baby is wrong,"

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will naturally follow, and women will choose life for their unborn children. This orientation has framed much of the argument by pro-lifers for over two decades, with frustratingly little impact.

The new research shows why the traditional approach has had so little effect, and what can be done to change things.

The summary report of the study bears the intriguing title "Abortion: The Least Of Three Evils—Understanding the Psychological Dynamics of How Women Feel About Abortion." The report suggests that women do not see any "good" resulting from an unplanned pregnancy. Instead they must weigh what they perceive as three "evils," namely, motherhood, adoption, and abortion.

Unplanned motherhood, according to the study, represents a threat so great to modern women that it is perceived as equivalent to a "death of self." While the woman may rationally understand this is not her own literal death, her emotional, subconscious reaction to carrying the child to term is that her life will be "over." This is because many young women of today have developed a self-identity that simply does not include being a mother. It may include going through college, getting a degree, obtaining a good job, even getting married someday; but the sudden intrusion of motherhood is perceived as a complete loss of control over their present and future selves. It shatters their sense of who they are and will become, and thereby paralyzes their ability to think more rationally or realistically.

When these women evaluate the abortion decision, therefore, they do not, as a pro-lifer might, formulate the problem with the radically distinct options of either "I must endure an embarrassing pregnancy" or "I must destroy the life of an innocent child." Instead, their perception of the choice is either "my life is over" or "the life of this new child is over." Given this perspective, the choice of abortion becomes one of self-preservation, a much more defensible position, both to the woman deciding to abort and to those supporting her decision.

Even those women who are likely to choose life rather than abortion do so not because they better understand fetology or have a greater love for children, but because they have a broader and less fragile sense of self, and they can better incorporate motherhood into their self-identity.

Adoption, unfortunately, is seen as the most "evil" of the three options, as it is perceived as a kind of double death. First, the death of self, as the woman would have to accept motherhood by carrying the baby to term. Further, not only would the woman be a mother, but she would perceive herself as a bad mother, one who gave her own child away to strangers. The second death is the death of the child "through abandonment." A woman worries about the chance of her child being abused. She is further haunted by the uncertainty of the child's future, and about the possibility of the child returning to intrude on her own life many years later. Basically, a woman desperately wants a sense of resolution to her crisis, and in her mind, adoption leaves the situation the most unresolved, with uncertainty and guilt as far as she can see for both herself and her child. As much as we might like to see the slogan "Adoption, Not Abortion" embraced by women, this study suggests that in pitting adoption against abortion, adoption will be the hands-down loser.

The attitude of these women toward abortion is quite surprising. First, all of the scores of women involved in the study (none of whom were pro-life activists and all of whom called themselves "pro-choice") agreed that abortion is killing. While this is something that is no doubt "written on the human heart," credit for driving home the reality of abortion is also due to the persevering educational work of the pro-life movement. Second, the women believe that abortion is wrong, an evil, and that God will punish a woman who makes that choice. Third, however, these women feel that God will ultimately forgive the woman, because He is a forgiving God, because the woman did not intend to get pregnant, and finally, because a woman in such crisis has no real choice—again, the perception is that the woman's whole life is at stake.

In fact, while abortion itself is seen as something evil, the woman who has to make that choice is perceived as being courageous, because she has made a difficult, costly, but necessary decision in order to get on with her life. Basically, abortion is considered the least of three evils because it is perceived as offering the greatest hope for a woman to preserve her own sense of self, her own life. This is why women feel protective towards the abortive woman and her "right to choose," and deeply resentful towards the pro-life movement, which they perceive as uncaring and judgmental.

Note that the primary concerns in any of the three options revolve around the woman, and *not* the unborn child. This helps to explain the appeal of the rhetoric of "choice." It offers the sense that women in crisis still have some control over their future, and it allows women who may dislike abortion themselves to still seem compassionate towards other women in crisis.

These insights also shed light on another fundamental source of frustration and failure in the pro-life movement. A quarter century of polling has shown over and over that most Americans oppose most abortions, and that women are slightly more pro-life than men. Yet Americans are increasingly comfortable with the pro-choice rather than the pro-life label, and pro-life activists are still viewed as dangerous extremists. Is this due entirely to media bias? Why is it that the pro-life movement has not been able

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to build on the innate pro-life sentiment of the average person, and may even be losing ground in the arena of public opinion?

Results from this study suggest that the difficulty in gaining public support is not due entirely to unfair treatment by the media, although such treatment has no doubt played a significant role. The pro-life movement's own self-chosen slogans and educational presentations have tended to exacerbate the problem, as they focus almost exclusively on the unborn child, not the mother. This tends to build resentment, not sympathy, particularly among women of child-bearing age.

It is not surprising that the first people in the pro-life community to notice the need for a different approach were those who actually work with women in crisis. When crisis pregnancy centers first sprang up across the country, for example, they chose names such as "Home for the Little Ones" or "New Life Ministries." Today you will see names such as "A Woman's Concern" or "Lighthouse for Women."

In contrast, consider a common pro-life slogan: "Abortion Stops a Beating Heart." While this may be an effective phrase among pro-lifers, the effect upon a young woman in crisis would probably be to: 1) provoke anger at the messenger (pro-lifers), 2) confirm her sense that pro-lifers ignore her life and situation, and 3) drive her further into denial and despair. If the pro-life goal is to lower the abortion rate and not just to state an objective fact, we have to ask whether such a message may well be counterproductive.

When a woman faces an unplanned pregnancy, her main question is not "Is this a baby?"—with the assumed consequence that if she knows it to be so she will choose life. Women know, though often at the subconscious level, that the fetus is human, and that it will be killed by abortion. But that is the price a woman in that situation is willing to pay in her desperate struggle for what she believes to be her very survival. Emphasis on babies, whether dismembered fetuses or happy newborns, will tend to deepen the woman's sense of denial, isolation, and despair, the very emotions that will lead her to choose abortion.

Her central, perhaps subconscious, question is rather, "How can I preserve my own life?" The pro-life movement must address her side of the equation, and do so in a compassionate manner that affirms her own inner convictions. Without stigmatizing or condemning, pro-lifers must help a woman to reevaluate what she perceives as the three "evils" before her.

As an example of how this is put into practice, the Caring Foundation will run two contrasting ads in a given television market. One offers a role model of a women who can identify with the concerns of the target audience but who has chosen life and presents it in a positive light; the other, again framed from the woman's own perspective, presents abortion as a negative resolution to her crisis.

One of the pro-motherhood ads runs as follows:

> *[A woman is in front of a nice house, raking leaves. She says good-bye to her daughter, then turns to the viewer.] "I was sixteen when I found out that I was pregnant with Carrie. I wasn't married and I was really scared. You know, some people today say that I should have had an abortion, but it never occurred to me that I had that choice, just because it wasn't convenient for me. Hey, I'm no martyr, but I really can't believe I had a choice* ***after*** *I was pregnant. Think about it."*

While this ad is not always popular among pro-life activists, polls showed it is extremely effective with young women. This is because it presents a role model who is approachable and believable, and the subliminal message in the ad—the nice house, the good relationship with the daughter, the image of control as the woman stands holding the rake as she takes care of her own yard—all reinforce the message that this woman *is,* in fact, a kind of martyr, because she has made a difficult decision but "gotten on with her life." The ad subtly offers the very kind of resolution a woman facing a crisis pregnancy desperately seeks and which she is too often deceived into thinking abortion will provide.

An ad that more directly discourages abortion runs as follows:

> *[A woman rises from her bed, the clock showing 3:00 A.M. She goes to the window, staring into the black, rainy night. She stands silently, as a female voice speaks.] "They said you wouldn't be bothered by a voice calling for you in the night. . . . There would be no trail of cereal through the house, no spills or stray toys. The clock ticks. All is calm. And you realize, there is still a voice. If you've faced the pain of an abortion, call 1-800. . . ."*

In both cases the focus is on the woman, on someone who has been through the experience of an unwanted pregnancy. The ads do not make an explicit judgment; they only convey lived experiences, with very different resolutions and different consequences.

Here is another very effective ad:

> *[A young woman sits by a fireplace, facing the camera.] "You know, I used to be pro-choice, and then something happened to me—I had a baby of my own. When I was pregnant I finally realized that all this little kid was trying to do was make it, just make it, just like all of us. So I haven't figured it all out yet, but why, when I wanted the baby, it* ***was*** *a baby, and when I*

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didn't, it was something ***else****? Think about it."*

Again, this woman does not pretend to have all the answers or to fit neatly into the pro-life camp. She simply shares her own experience and asks a question that effectively undermines pro-choice rhetoric.

How effective have such ads been? The work of the Caring Foundation originated in Missouri, where ads have been airing for a number of years, and that state has had the fastest dropping abortion rate in the United States—almost six times the national average. From 1988 to 1992 the abortion rate dropped just 5 percent nationally, but 29 percent in Missouri.

In addition to the falling abortion rate, recent polls of teens in the Kansas City, Missouri, area also suggest a pro-life sentiment that is dramatically different from the midwest average. Whereas a Gallup poll showed teens in the midwest mirroring the national average of 29 percent of youths who are strongly pro-life, a 1996 poll of over seven thousand students from thirty-three schools in central Missouri showed over 60 percent of the teens to be strongly pro-life.

Two other states have also been airing ads for a number of years, and both have seen a drop in abortions of just under 40 percent. In Michigan, the number of abortions has dropped from 49,098 in 1987 to 31,091 in 1995. In Wisconsin, abortions have declined from a high of 20,819 abortions in 1981 to 12,782 abortions in 1995. A much more careful and tightly controlled study needs to be done to determine to what extent the use of television ads may have contributed to these numbers, though it is doubtful if enough variables could be controlled to reach a solid conclusion.

Because the Caring Foundation hires independent, professional polling firms to conduct pre- and post-polling, it can be stated without doubt that the ads do shift public opinion and do affect young women's decision to abort or keep their children. Many crisis pregnancy centers have reported that women have come to them who were planning to choose abortion until they saw the pro-life ads on television.

In 1997, a thirteen-week television campaign was conducted in the greater Boston market, covering an audience of 4,400,000 adults. Baselice & Associates of Houston, Texas, conducted the polling. Five hundred interviews were completed in both pre- and post-polls, with a margin of error of 4.9 percent at the 95 percent confidence level.

The post-poll showed a shift of 7 percent among the entire population of the region, translating into a total of 308,000 adults who switched to the pro-life position. Was this shift perhaps due to other factors, such as the partial-birth abortion debate? This question was answered by studying the cross-tabulations, which showed that the pro-life shift was entirely among those who remembered seeing the ads on television. There was no movement in the pro-life direction among those who did not recall any such ads.

In fact, the pro-life sentiment among those who recall the ads almost doubled (from 20 percent in the pre-poll to 36 percent in the post-poll), while the pro-choice position dropped significantly (from 33 percent in the pre-poll to 25 percent in the post-poll.)

The most recent poll was completed in December 1997 for the Indianapolis, Indiana, market, with data that closely mirrored the Boston results. Pro-life sentiment among the entire population increased from 36 percent to 45 percent. Among the target audience of women under age forty-five, the pro-life response increased from 33 percent to 44 percent.

In addition to the Massachusetts and Indiana polls, similar surveys have now been completed in Pennsylvania, Wisconsin, Ohio, Iowa, Colorado, Missouri, and Michigan. Movement in the pro-life direction has been seen in every poll and on virtually every question (eight different questions relate to the abortion issue). The total market reach of the various campaigns underway in the last few years totals over forty-six million adults.

Because these ads have proven to be so effective in reaching women, they now include an 800 number to help women reach crisis pregnancy centers. Over five thousand calls have been received via these numbers, providing women with the counseling and healing needed after the trauma of abortion. This is a dramatic advance for pro-life unity, as direct-service agencies receive enormous exposure and an increase in clients (all without any charge to them), and the educational message is simultaneously reaching millions in the general population.

The direct testimony of women who have been affected by these ads is particularly intense and supports the evidence from the polling data.

> *I found myself so depressed that I could hardly get out of bed. I couldn't go to work. I just curled myself into a ball and cried and cried over the abortion I had undergone about one year earlier. I felt so guilty and so alone. Then this TV ad came on with an 800 number and I knew God was reaching out to me. I called the number and the people at Daybreak were there to help. . . . Now my entire life has changed. . . . I have a chaste relationship with my new boyfriend. . . . I am attending a weekly Bible study. My job is going great. . . ."*

A new wave of ads is now being developed based on another "right brain" research study conducted in 1997. Whereas the first study focused on young women who were conflicted on the issue, the second study included only women who had already made the choice to abort or to keep the child. While the full

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analysis of this report lies outside the scope of this article, a key finding was what was termed the "locus of control" or "character maintenance" within each woman.

A new ad is now being tested that is based on this latest research:

> *[A young woman is jogging through city streets. It is raining. As she runs, her inner thoughts are made audible.] "Everyone's telling me how I should feel. . . . It's not like I planned to get pregnant. Not now. [Referring to angry boyfriend, shown in brief flashback.] Telling me how to feel, what to do, then not sticking around when it really counts. So now it's all up to me. But abortion? Not me. I have to live with myself. [Pause. She runs into distance, skies clearing.] We'll make it. Yeah, we'll make it just fine."*

The ad's three objectives are to engender admiration for carrying a pregnancy to term, to present a woman who serves as a role model, and, in a nonconfrontational way, to put abortion in the negative.

It is significant to compare these objectives with the comments made by women in focus groups who were asked for their response:

> *"That's just like me back then. Cold, rainy. It says a lot. She's very determined. It gives me a good feeling. Within herself she's strong."*

> *"Hits home. True to life. . . . I feel her strength. It is okay to keep the baby."*

> *"You can feel the stress she's having. You know it's not the happy wonderful thing, but she's standing up. She's doing what's best. She's strong—being a strong woman jogging instead of sitting down, 'poor little me.'"*

These responses suggest that a campaign of carefully produced ads could encourage a "culture of life" ethic. Using language and imagery that will attract rather than alienate, the pro-life movement must show that abortion is actually not in a woman's own self-interest, and that the choice of life offers hope and a positive, expanded sense of self.

It should be noted that descriptions of fetal development and even graphic abortion pictures can still be used to great effect with certain audiences, particularly among people already disposed to the pro-life message and as a means to activate pro-lifers. Further, the means shown here for developing an effective strategy to reach women are not necessarily transferable to strategies intending to effect political and legislative change. However, in the use of mass media to reach the general public, it is vitally important that the pro-life movement reframe the issue in terms that will be better received by women.

The terrible miscalculation of young women is that abortion can make them "un-pregnant," that it will restore them to who they were before their crisis. But a woman is never the same once she is pregnant, whether the child is kept, adopted, or killed. Abortion may be a kind of resolution, but it is not the one the woman most deeply longs for, nor will it even preserve her sense of self. If those of us in the pro-life movement can help women see this for themselves, we will have done much to disengage our culture from the abortion mentality.

If pro-lifers are willing to reframe the debate in a way that affected women can better understand and appreciate, the movement can regain the moral high ground in the mind of the American public, and begin to reach successfully the very women who most need the pro-life message. FI

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John Paul II on the American Experiment

In receiving the credentials of the Honorable Lindy Boggs as Ambassador to the Holy See on December 16, 1997, Pope John Paul II offered some pointed comments on the "credibility" of the United States and its world leadership. Herewith the complete text of a statement that bears close reading.

— The Editors

It gives me great pleasure to welcome you to the Vatican for presentation of the Letters of Credence by which you are appointed Ambassador Extraordinary and Plenipotentiary of the United States of America to the Holy See. I am grateful for the greetings which you convey from President Clinton, and I reciprocate with good wishes to him and the American people.

You represent a nation that plays a crucial role in world events today. The United States carries a weighty and far-reaching responsibility, not only for the well-being of its own people, but for the development and destiny of peoples throughout the world. With a deep sense of participation in the joys and hopes, the sorrows, anxieties, and aspirations of the entire human family, the Holy See is a willing partner in every effort to build a world of genuine peace and justice for all. I am certain that, following upon the good work of your predecessors, you will apply your many personal talents and your long experience of public life to strengthening understanding and cooperation between us.

The Founding Fathers of the United States asserted their claim to freedom and independence on the basis of certain "self-evident" truths about the human person: truths which could be discerned in human nature, built into it by "nature's God." Thus they meant to bring into being, not just an independent territory, but a great experiment in what George Washington called "ordered liberty": an experiment in which men and women would enjoy equality of rights and opportunities in the pursuit of happiness and in service to the common good. Reading the founding documents of the United States, one has to be impressed by the concept of freedom they enshrine: a freedom designed to enable people to fulfill their duties and responsibilities toward the family and toward the common good of the community. Their authors clearly understood that there could be no true freedom without moral responsibility and accountability, and no happiness without respect and support for the natural units or groupings through which people exist, develop, and seek the higher purposes of life in concert with others.

The American democratic experiment has been successful in many ways. Millions of people around the world look to the United States as a model in their search for freedom, dignity, and prosperity. But the continuing success of American democracy depends on the degree to which each new generation, native-born and immigrant, makes its own the moral truths on which the Founding Fathers staked the future of your Republic. Their commitment to build a free society with liberty and justice for all must be constantly renewed if the United States is to fulfill the destiny to which the Founders pledged their "lives . . . fortunes . . . and sacred honor."

I am happy to take note of your words confirming the importance that your government attaches, in its relations with countries around the world, to the promotion of human rights and particularly to the fundamental human right of religious freedom, which is the guarantee of every other human right. Respect for religious conviction played no small part in the birth and early development of the United States. Thus John Dickinson, Chairman of the Committee for the Declaration of Independence, said in 1776: "Our liberties do not come from charters; for these are only the declaration of preexisting rights. They do not depend on parchments or seals; but come from the King of Kings and the Lord of all the earth." Indeed it may be asked whether the American democratic experiment would have been possible, or how well it will succeed in the future, without a deeply rooted vision of divine providence over the individual and over the fate of nations.

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As the year 2000 draws near and Christians prepare to celebrate the bi-millennium of the birth of Christ, I have appealed for a serious examination of conscience regarding the shadows that darken our times. Nations and states too can make this a time of reflection on the spiritual and moral conditions of their success in promoting the integral good of their people. It would truly be a sad thing if the religious and moral convictions upon which the American experiment was founded could now somehow be considered a danger to free society, such that those who would bring these convictions to bear upon your nation's public life would be denied a voice in debating and resolving issues of public policy. The original separation of church and state in the United States was certainly not an effort to ban all religious conviction from the public sphere, a kind of banishment of God from civil society. Indeed, the vast majority of Americans, regardless of their religious persuasion, are convinced that religious conviction and religiously informed moral argument have a vital role in public life.

No expression of today's commitment to liberty and justice for all can be more basic than the protection afforded to those in society who are most vulnerable. The United States of America was founded on the conviction that an inalienable right to life was a self-evident moral truth, fidelity to which was a primary criterion of social justice. The moral history of your country is the story of your people's efforts to widen the circle of inclusion in society, so that all Americans might enjoy the protection of law, participate in the responsibilities of citizenship, and have the opportunity to make a contribution to the common good. Whenever a certain category of people—the unborn or the sick and old—are excluded from that protection, a deadly anarchy subverts the original understanding of justice. The credibility of the United States will depend more and more on its promotion of a genuine culture of life, and on a renewed commitment to building a world in which the weakest and most vulnerable are welcomed and protected.

As they have done throughout your country's history, the Catholic people in the United States will continue to make an important contribution to the development of American culture and society. The recently completed Special Assembly of the Synod of Bishops for America has highlighted the range and variety of activity which Catholics, out of commitment to Christ, undertake for the betterment of society. May this transforming and elevating work continue to flourish for the good of individuals, the strengthening of families, and the benefit of the American people as a whole.

Your Excellency, these are some of the thoughts prompted by your presence here as your country's diplomatic representative. These reflections evoke a prayer: that your country will experience a new birth of freedom, freedom grounded in truth and ordered to goodness. Thus will the American people be able to harness their boundless spiritual energy in service of the genuine good of all humanity. Be assured that the various Offices of the Holy See will be ready to assist you in the fulfillment of your mission. Upon you and upon the people of the United States of America I cordially invoke abundant divine blessings. FT

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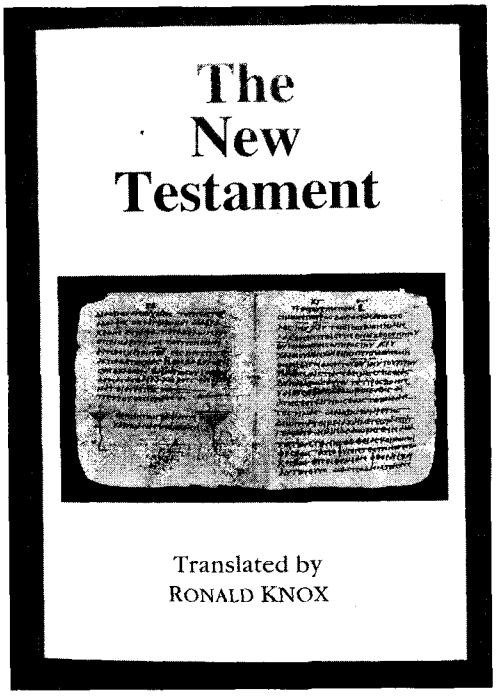

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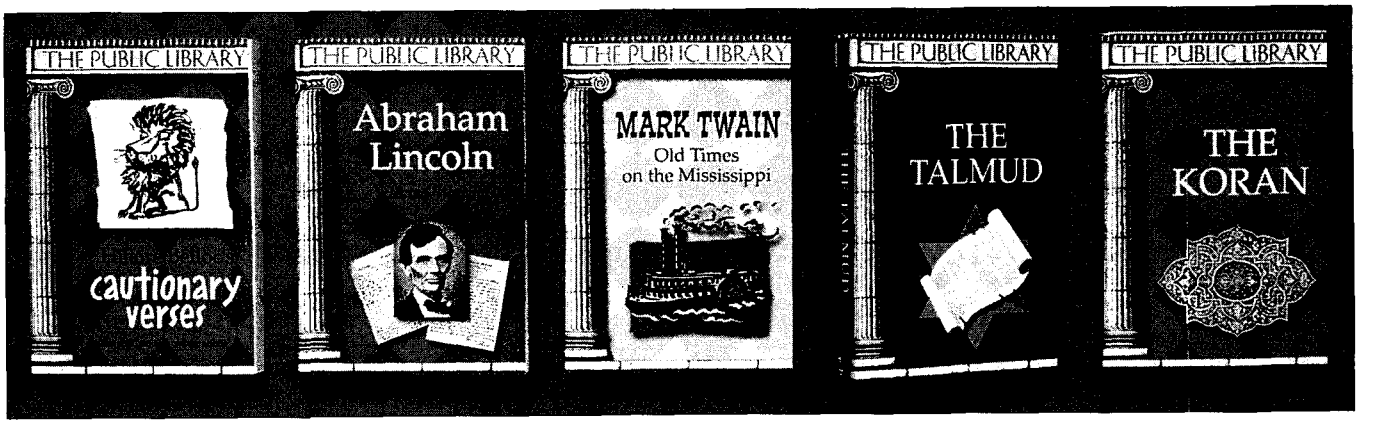

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Books In Review

Before the Papacy

Karol Wojtyla: The Thought of the Man Who Became John Paul II. By Rocco Buttiglione. Translated by Paolo Guietti and Francesca Murphy. *Eerdmans. 368 pp. $35.*

Reviewed by **Thomas Guarino**

With the translation of Rocco Buttiglione's text, the definitive commentary on Karol Wojtyla's philosophy is now available in English. The book replaces George Huntston Williams' fine work as the best analysis of Wojtyla's intellectual development. Written in 1982, the commentary was soon translated into French and Spanish. The delay of American publishers is perhaps understandable inasmuch as the book is so detailed, so obstinately diligent in tracking down every nuance of Wojtyla's philosophical journey, that one must pause when determining a proper audience.

From the outset, Buttiglione makes clear that he is interested only in Professor Wojtyla, the philosopher. The writings of John Paul II fall beyond the scope of the book, since the Pope's labors, while often in continuity with his earlier work, are necessarily determined by Scripture and the tradition of the Church. As such they are written *ex officio* rather than simply *ex corde*. It should also be made transparently clear that this work has no interest in recounting or compiling biographical data about Wojtyla. After a short introduction, the book leaps to the heart of the matter, the future Pope's philosophical education, influences, and syntheses.

His early thought was shaped by the Angelicum Theological Faculty in Rome, an institute run primarily by priests of the Dominican order. The faculty at this time (1946-48) was steeped in the neoscholastic revival occasioned by the 1879 encyclical of Leo XIII (*Aeterni Patris*) calling for a renewal of Thomism in the Church at large. Leo's motive was clear. Nineteenth-century society was dominated by two trends: the rationalism of philosophers in the thrall of scientism and empiricism, and the fideism of a number of religious thinkers who argued for a retreat from apologetics. Leo hoped that a renewed Thomism would restore the traditional balance between reason and faith, remedying the twin ills of the day by confuting scientism with Christian apologetics and fideism with rational inquiry. The Angelicum faculty of the 1940s was a tribute to Leo's goals. It was dominated by such staunch Thomists as M. Ciappi, P. Philippe, and the brilliant if inflexible Reginald Garrigou-Lagrange. These imprinted the young Wojtyla with a lifelong interest in the philosophy of St. Thomas.

Even Wojtyla's theological dissertation, on the notion of faith in the mystical writings of St. John of the Cross, reflected Thomistic themes. His thesis explained the balance necessarily maintained between the knowledge that is granted to man in the act of faith and the limits of cognitive penetration accorded the finite, created mind before the inexhaustible light of God. Wojtyla was impressed with John's deeply mystical sense of humanity, a sense that analogously attributed to the human person the incomprehensibility normally predicated of God himself. Precisely this human mystery is the dwelling place of freedom and personal dignity.

With a clearer sense of his anthropological foundations, Wojtyla moved on to a study of ethics. He began work on his *Habilitationschrift*, given over to a discussion of the possibility of founding a Christian ethics upon the philosophical work of Max Scheler. Buttiglione gives serious and sustained attention to Scheler's significant influence on Wojtyla. In particular, Scheler taught the young professor the importance of phenomenology as a method for examining the reality of ethical facts as well as its usefulness as a vehicle for penetrating and reflecting on the specificity of Christian ethics. Phenomenology allowed the richness and drama of concrete, living moral decisions to be fully investigated, while representing a salutary departure from Kant's stolid ethical formalism.

There is no question but that, on certain points, Wojtyla rejected Scheler. He was convinced, for example, that his mentor overreacted to Kant by downplaying the responsibility of the subject as well as the importance of "duty" in moral decisions. He also disagreed with Scheler's disdain for the heteronomous moralism implied in the idea of an externally imposed moral order. To the Schelerian fear that a normative order would desiccate the richness of experience, Wojtyla argued that the ethical order is, in fact, rooted in the internal, anthropological consistency of the person who participates in the horizon of God.

A significant part of Buttiglione's book is a careful examination of Wojtyla's major works. The first, *Love and Responsibility*, written in 1960, is devoted to examining sexual ethics in the context of anthropology. The person, Wojtyla writes, is not simply an object or a substance; he is, rather, a rich and complex being in whom absolute values are concretely manifested. These ultimate values are revealed not in a priori formalisms or in abstractions but only in a careful analysis of the self-enactment of the generous person. What this inquiry reveals is that the only proper attitude in the face of others is love, a love that respects the distinct intelligence and freedom of the other.

Since the object of sexual acts is always the person, not simply the body, the demands of the flesh are always ontological demands. As

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such, sexual acts must always be worthy of the dignity and mystery of the person. Rigorism and permissivism are alike inadequate here, for both separate enjoyment from the biological end of sexuality. The former, because it sees the body merely instrumentally, ignores man's collaboration with God in interpersonal love. The latter, because it separates subjective fulfillment from authentic humanity, disregards the mystery of the person and the demands of procreation. All love is ultimately ordered to God inasmuch as he is the destiny of each person. To love another authentically is to will this destiny for the other, offering oneself as a partner in the process. On the controverted issue of contraception, Wojtyla notes that every marriage should be experienced rationally, i.e., every couple must try to bring into the world no more children than the partners can afford to raise and educate; however, the link between sexual acts and procreation should remain intact, thereby safeguarding, through the utilization of periods of female infertility, the symbolic and moral value of interpersonal union.

WOJTYLA PUBLISHED his magnum opus, *The Acting Person*, in 1969. The English translation, as is well known, has been severely criticized. Buttiglione adds his voice to the chorus, claiming that the translator, Anna-Teresa Tymieniecka, engaged in an "interpretative reading" of the book, virtually raising herself to the rank of coauthor. Written soon after Vatican II, the work examines familiar philosophical themes: the nature of experience, the possibility of intersubjective relations, the constitution of consciousness, the synergy between receptivity and activity, and the essence of intentionality. What particularly characterizes the book is a rich phenomenological examination of how man dynamically enacts his freedom and intelligence in concrete experience. Wojtyla wants us to understand that a careful analysis of human action reveals the person as the dwelling place of dignity, transcendence, and spirituality. Phenomenology manifests these human characteristics in a way superior to both metaphysics and idealism. Idealism is defective because it represents an a priori determination of man's interiority. Metaphysics is often unintelligible because of its high degree of abstraction. Neither properly chronicles the experiential complexity of human action as revelatory of the person. It should be added that, despite Wojtyla's predilection for phenomenology, he regards its conclusions as ultimately confirming the truth of metaphysics.

FROM WOJTYLA'S MAJOR works, the book moves to a review of his conciliar participation. Wojtyla's most important contribution, his role in the discussions of the Polish bishops' conference, is not available to us. However, we do have his actual interventions at Vatican II. These revolve around three themes: 1) the entire people of God, all of the baptized, should be discussed before the various distinctions within the Church; 2) the Church should move past simple "toleration" of other religions, since religion consists in adhesion to God arising from the desire for truth; and 3) the Church should teach the nations slowly and progressively, avoiding stringent authoritarianism. For the young bishop, the heart of Vatican II, and its greatest achievement, was its acknowledgement of freedom of conscience as a natural right of the person. He was concerned, however, that this freedom, exercised improperly, led to a flaccid relativism that denied the possibility of truth. He was also concerned with a developing misunderstanding of philosophical pluralism within Catholicism. While the Council clearly endorsed dialogue with a variety of contemporary philosophies, Wojtyla claimed that if certain living elements of classical philosophy did not survive, then there was very little chance of maintaining the link with traditional affirmations of the faith. In general, Wojtyla was a solid supporter of Vatican II throughout the Council and afterwards. He later published a book, *Sources of Renewal*, dealing with sundry aspects of the great event.

THE LAST CHAPTERS of the book outline the importance of literature in Wojtyla's intellectual journey and some final thoughts on his dialogue with the principal philosophical currents of his time: phenomenology, existentialism, and Marxism. Of phenomenology enough has already been said. It need only be added that throughout his life Wojtyla, like Scheler and Roman Ingarden before him, was attracted to the realism of the early Husserl and the battle cry *zu den Dingen selbst* as an antidote to the neo-Kantianism of the early part of the century. Existentialism, and the work of Sartre in particular, was seen as a humanizing dimension in the Marxist Poland of Wojtyla's time. Wojtyla argued that atheism, whether existential or Marxist, is inherently solipsistic, and is, therefore, unable to achieve a proper notion of intersubjectivity. Buttiglione notes that Wojtyla could not, in Poland, carry out a head-on critique of Marx's thought; nonetheless, the philosophy of praxis is everywhere in his writing. Wojtyla states again and again that Marx's promethean dream is attractive to workers because it has engaged the nature of human labor and its role in man's self-integration.

Wojtyla himself tried to develop the moral and spiritual significance of work, appropriating the philosophy of praxis to metaphysics. In a revelatory sentence, which indicates how far Wojtyla is not only from Marxism but also from contemporary currents in postmodernism and nonfoundationalism, he says: "How can one think about praxis without renouncing the fundamental principle of the existence of a subject or metaphysical substratum of man which underlies any historical change and dictates . . . the fundamental lines of any possible modification and which also furnishes the

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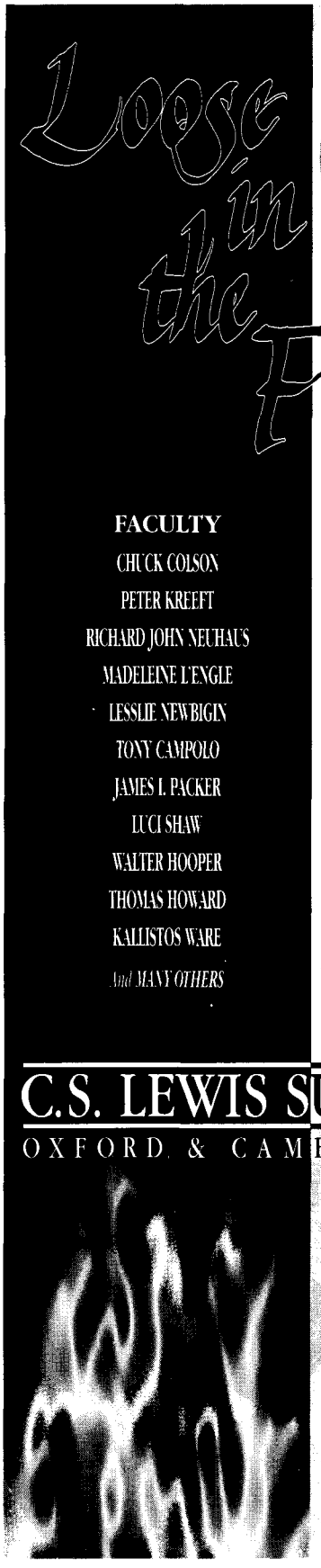
criterion upon which one can make an ethical judgment on them?"

Vatican II, with which Wojtyla will always be linked, called for a reformulation and reconceptualization of the great tradition of the Church. It sanctioned neither sterile repetition nor facile dissolution of the tradition. It sought, rather, new perspectives, emphases, and insights that would allow the luminosity of the Church's theological and philosophical patrimony to shine forth again in its full radiance. Wojtyla, by his early use of *Scheler in the matter of Christian* ethics and anthropology, was a harbinger of conciliar ideals. Thirteenth-century philosophical forms, taken alone, could no longer handle all of the issues, certainly not the thorny problem of historicity, nor provide the sole conceptual basis for Catholic thought. Karl Mannheim had argued that there were elements in Husserl's thought that were inherently supportive of Catholicism, and Wojtyla exploited these to the fullest. His own philosophical development clearly showed that a certain pluralism would not betray the deepest instincts of the Christian deposit of faith.

To call Wojtyla's philosophical thought original is to brush too close to hagiography. Nonetheless, throughout his teaching career, he established a creative juxtaposition of ideas, philosophically fusing traditional elements of Thomism with more innovative dimensions of phenomenology and personalism. His close examination of the drama of human enactment allowed him to express new insights about such matters as the nature of self-transcendence and the mystery of conjugal love.

Overall, Buttiglione's work provides an excellent study, exhaustively detailed, of the intellectual development and significant achievements of Karol Wojtyla from his student days to his election to the chair of Peter. The book is essential reading for those who hope to understand fully the theological teachings of his pontificate.



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Coming Out Against the Church

THE INVENTION OF SODOMY IN CHRISTIAN THEOLOGY. By MARK D. JORDAN. *University of Chicago Press. 190 pp. $24.95.*

***Reviewed by* Paul A. Dietrich**

OF THE WRITING of histories of sexuality there appears to be no end. The products of this growth industry (including works by Michel Foucault and John Boswell) are typically ambitious in scope and uneven in execution. The latest entry in this crowded field is a modest volume, although grandly conceived, by Mark D. Jordan, a professor in the Medieval Institute at the University of Notre Dame. *The Invention of Sodomy in Christian Theology*, a poignant, deeply personal book, essays a critique of medieval Christian teachings on homosexuality. Jordan appears variously angry, puzzled, and saddened at the vehemence of the medieval Christian condemnation of sodomy. The book's thesis is simply put: In discussing homosexuality medieval texts are characterized by "unstable terms," "unfaithful descriptions," and "inconsistent arguments." The first fault Jordan associates with St. Peter Damian, the second with Alan of Lille and St. Albert the Great, and the third with St. Thomas Aquinas.

The book's dust jacket announces a series of extravagant claims about the deconstruction of the Christian tradition to be found between its covers; fortunately, Jordan is too careful a scholar to bear more than a passing resemblance to the author trumpeted by the publisher. Indeed, he carries on a series of skirmishes with established gay historians in the footnotes, gently correcting their often unwarranted claims.

PAUL A. DIETRICH *is Professor of Religious Studies and Associate Dean of the College of Arts and Sciences at the University of Montana.*

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Jordan argues that the term "sodomy" was coined by St. Peter Damian (1007-1072), the zealous hermit and monastic reformer, thus "essentializing" homosexual acts. Jordan, however, acknowledges that "Sodom" had signified barrenness and sexual misconduct since the New Testament and male sexual crimes *contra naturam* according to the testimony of the Fathers (e.g., St. Augustine, St. Jerome, St. Gregory, et al.). By the seventh century the term "sodomite" was synonymous with male sexual perversion.

GIVEN THE CHURCH's unbroken witness of the first millennium, the author would seem to be guilty of committing the fallacy of misplaced concreteness in placing so much credit or blame at the feet of St. Peter Damian. The denunciations of this vice by the reformers and also in medieval penitentials and decretal literature are related to the association of sodomy with priests and monks. St. Peter Damian's remarks were directed to the court of Pope Leo IX. The course of the papacy in the tenth and early eleventh centuries, prior to the advent of the reforming German popes, represents a nadir in the history of that institution, a "century of lead." Jordan fails to take into account the context of the eleventh century reformers and the then recent, scandalous history of the papacy.

Jordan devotes a good deal of attention to the twelfth-century early scholastic, Alan of Lille, who wrote an epic poem entitled *The Complaint of Nature* in which a personified "Natura" complains about the unnatural acts of humans. Jordan disputes the logical consistency of Alan's interpretation of the laws of nature. Alan conceived his argument in terms of natural law and exhibited a fondness for grammatical metaphors. Like most medieval thinkers, Alan saw a connection between grammar and nature. Grammar was a subset of ethics; for Alan, homosexuality violated the laws of nature just as a solecism disturbed the laws of grammar. Sodomy upsets the natural order of verbs, predicates, and noun declensions. When a man becomes passive in the sexual act, according to Alan, "he is (both) subject and predicate." Alan depicts the correct healing of natural and grammatical dysfunction in his portrait of the creation of the "new man" in the *Anticlaudianus*, his poetic sequel to *The Complaint of Nature*, and a work that Jordan does not discuss.

Jordan is clearly more comfortable when considering the works of St. Albert the Great and St. Thomas Aquinas. His earlier study, *Ordering Wisdom: The Hierarchy of Philosophical Discourses in Aquinas* (1986), is a well-regarded

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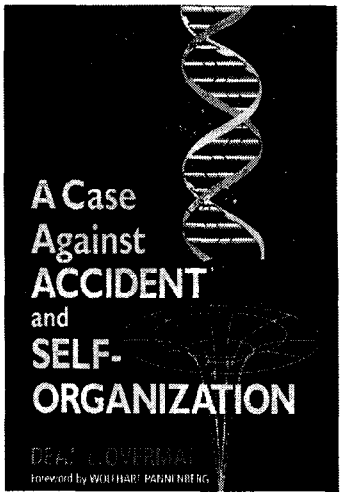

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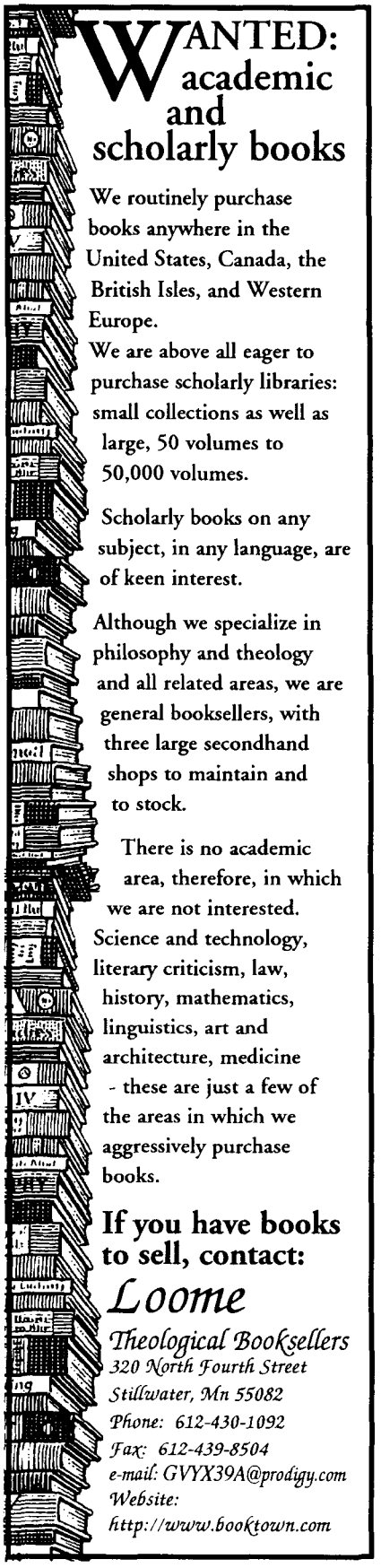

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contribution to the understanding of St. Thomas. For St. Albert homosexual intercourse is a sin against grace, reason, and nature. Jordan laments "Albert's refusal to think coherently," that is, his citation of Arabic lore on most medical topics in contrast to his appeal to Christian moral teachings when it comes to homosexuality. Although Jordan rescues St. Thomas from the misreadings of other gay historians (such as John Boswell), he finds what he describes as "instabilities" in Thomas' denunciation of sodomy as the unnameable vice that more than other sins is against nature and against God.

A close reading of several scholastic texts with an eye toward holes in the argument suffers from the same flaws as Jordan's earlier treatment of monastic authors. Insufficient attention is paid to the historical and cultural contexts of these arguments. Why is it, asks Jordan, that so much energy is expended on denunciations of sodomy compared with the more lenient treatment of other sins in the medieval catalogue of vices, say, murder, usury, simony, or adultery?

WHY, INDEED. Medieval monastic and scholastic authors presumably had less pastoral experience than did the regular clergy with murder, adultery, and usury, or even with standard clerical sins such as simony, nicolaitism (clerical marriage), and concubinage. As members of male religious houses, however, Benedictine monks (like St. Peter Damian) had in common with Dominican friars (like Saints Albert and Thomas) a concern for the moral, spiritual, and psychological health of a same-sex religious community.

In his concluding postlude Jordan poses the question, "How does one honor the tradition while being faithful to the Gospel and to the impulses of God in the present?" He notes that Christian moral teaching has undergone sea changes in other areas—for example, the ethics of slavery and the conduct of war. Jordan argues that the biblical condemnation of homosexuality is not a proclamation in the face of social prejudice but a capitulation to it. In any reexamination of what it means to have a tradition, says Jordan, the first principle is the "rule of love." "Words spoken from some motive other than love are not moral teaching at all."

Well, yes, and that and a token will get you on the subway. What it means to have a tradition, presumably, is to enlarge our conception of democracy by extending the franchise, in the words of G. K. Chesterton, by giving our ancestors the right to vote. Here Jordan is guilty of what he accuses his opponents of doing, a tendency to "magnify what is microscopic and ignore what is enormous."

In his conclusion Jordan appeals to the "Gospel's priority of spirit over body," criticizing Christianity's degeneration into "fertility cults." "The Christian criterion of fertility, of parenting, of filiation, is not bodily. That much was worked out with painstaking care in the early trinitarian debates." Jordan defends "the deeply unbiological character of Christian love" in a remarkably confused passage that combines a Gnostic contempt for the body with a plea for the Christian church to "come out" and endorse homosexual pleasure.

What it means to have a Christian tradition, Jordan seems not to understand, is to "think with the Church" (*sentire cum ecclesia*) a little more clearly than he does on, among other topics, incarnation, embodiment, creation and procreation, family, community, and sexuality.

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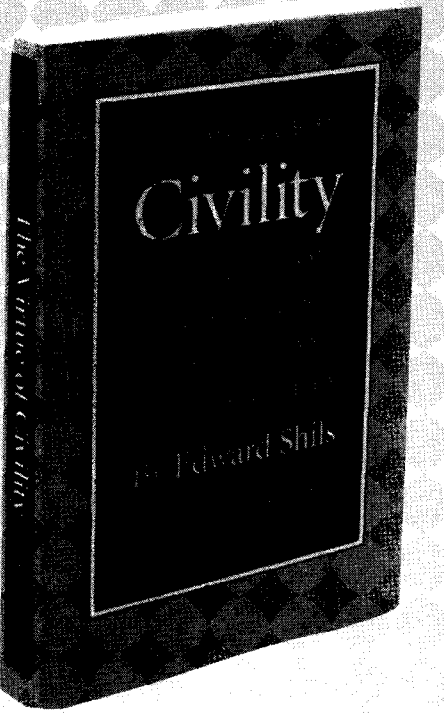

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DOUGLAS L. LEBLANC *edits* United Voice, *the national newspaper of Episcopalians United for Revelation, Renewal, and Reformation.*

Flip to the title page, and you may find the word "Proposed" at the top. Many parishes never replaced these copies of the proposed texts, which were published in 1976 after a series of trial-use paperbacks that earned such playful nicknames as "The Zebra Book" and "The Blue Whale."

These battered books are memorials of the decades-long movement to adapt what Episcopalians once called "our incomparable liturgy" to modernity. Revising the Prayer Book involved ten years of trial use (from 1967 to 1976) and required the approval of two successive General Conventions (1976 and 1979). In *The Liturgical Revolution,* Michael Moriarty offers a thorough and celebratory history of Associated Parishes, second only to the Standing Liturgical Commission as a key player in the Episcopal Church's liturgical reform.

Associated Parishes had a humble beginning. Four priests first met in 1946 for a "four-day unstructured meeting" to discuss their hopes for liturgical revision. By November of that year, the group grew to a dozen priests who met in Washington, D.C., and incorporated as Associated Parishes. In 1950, AP began publishing popular and influential brochures explaining the liturgy of the 1928 Prayer Book. Nearly one thousand clergy were using AP materials by 1960.

"AP's public stance from its founding through the early 1960s was one of uncritical loyalty to the Prayer Book," Moriarty writes. "AP tried to make the most of the Prayer Book as it stood and treaded carefully among the rubrics when it encouraged liturgical experimentation. AP's publications did not even hint that a revision of the Prayer Book might be desirable. AP saw its task as educating the church for liturgical renewal."

That changed in 1968, the year after General Convention approved trial use of new texts, and AP threw its energy into Prayer Book reform. The years AP members spent in discussion with the Benedictine author Dom Gregory Dix while making the best of the 1928 liturgy came to fruition. Three AP members, and later six, served on the Standing Liturgical Commission, which coordinated the revisions. Nine AP members served on eight drafting committees.

The revolution included a good deal of silliness. The Joy Box, for

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instance, provided comic relief at the Special General Convention of 1969, which was devoted mostly to shouting matches about black liberation and the Vietnam War. Moriarty describes the box, quoting from AP's own journal, titled *Open*:

> The box was a big contraption that people were invited to step into. Standing outside the box were a couple of bermuda-shorted, knobby-kneed clerics who were in place as the front men for the Associated Parishes exhibit and Vienna Anderson, a sylph-like . . . perfectly stunning creature to look at. . . .
>
> Passing through a beaded curtain, people found themselves in utter darkness. As they groped around they encountered one another, and sooner or later realized they were meant to explore. Touching the buttons set off strobe lights. Pleasant gurgley noises. Sirens, bells, horns. . . .
>
> Emerging from the Joy Box, each person was offered a button saying "BE" and bread and wine.

Moriarty also quotes from an AP description of Eucharist-as-picnic, which he kindly describes as "the last word in liturgical romanticism":

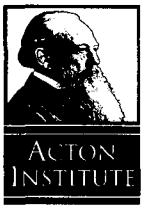
> Then each of us, wearing vestments and stoles, went alone to meditate on a piece of bread and cup of wine, drinking and eating and feeling, bringing back enough to feed each other. The Eucharistic Prayer was put in constellation fashion with a contribution from each one of us and a gathering by Bill Wendt, the central celebrant. At the great moment of communion, Bill simply said, "Feed each other."

NOTHING so touchy-feely as "Feed each other" found its way into the 1979 Prayer Book, thanks to the slow-turning gears of the Standing Liturgical Commission and General Convention, but the spirit of the picnic Eucharist lives on. Today, some Episcopal bishops say the Lord's Supper should be open to anyone who shows up, and not just to baptized Christians. (The Apostle Paul, already dismissed as a sexist, self-loathing homosexual, must have been wrong on this as well.)

Moriarty, an adjunct assistant professor at Notre Dame, served on AP's council from 1980 to 1985, and his book is decidedly pro-revision. He offers no hint that various bishops prohibited use of the 1928 book by traditionalist parishes. Occasionally he mentions an enticing detail, such as the anthropologist Margaret Mead serving on a drafting committee, but doesn't pursue it far. Moriarty notes that Otis Charles, AP's first executive secretary, became the Bishop of Utah, but he neglects Charles' more exotic choices later in his career, such as suspending marriage rites in the chapel at Episcopal Divinity School as a protest against the prohibition of same-sex blessings, and becoming the first Episcopal bishop to go public as a homosexual. Such details are not central to a history of Associated Parishes, but they are important previews of the battles surrounding the next revision of the Prayer Book.

Moriarty correctly identifies the 1928 Prayer Book as "the last Cranmerian liturgy," and he calls the 1979 version a "Prayer Book for a post-Christendom Church." As Moriarty indicates, the 1979 book de-emphasizes atonement theology. Massey Shepherd, a key architect of the 1979 book, wrote that "The mood of the newer theology today is distinctly existentialist, relativistic, and anti-dogmatic. It leans much upon the insights of physics and psychology."

MOST EPISCOPALIANS have made their peace with the 1979 book, just in time to undergo another round of Prayer Book revision. In 1994, the Episcopal Church's Committee for the Status of Women called for a new version to be ready by 2006, but General Convention and the Standing Liturgical Commission have both taken a "not quite yet" stance. Moriarty mentions that Associated Parishes hopes to "eliminate" Rite I (a concession to those who loved the 1928 book's Tudor English) and



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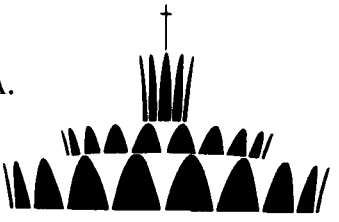

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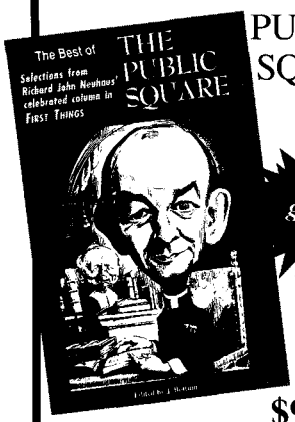

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The 39 Articles of Religion (already relegated to "Historical Documents") from future versions of the Prayer Book.

Meanwhile, several dioceses unsuccessfully petitioned the 1997 General Convention to authorize *Book of Occasional Services* rites for blessing homosexual unions. (They failed by only one vote.) The Committee for the Status of Women has targeted "oppressive" father language for God, and others surely will consider the remaining atonement theology inappropriate for twenty-first-century Episcopalians.

Although trial use could not begin until General Convention amended the church Constitution, the Episcopal Church is now in a state of semi-permanent trial use. Many parishes use *Supplemental Liturgical Materials* (1991), which takes the church closer to modalist language for God, or *A New Zealand Prayer Book*, with its torturous prayer to God as "Earth-maker, pain-bearer, life-giver." The Rev. Clayton Morris, liturgical officer at denomination headquarters, believes the 1979 book may be the last revision distributed the old-fashioned way, as paper between covers.

Perhaps within the next decade, as parishes download the liturgical flavors of the month from the Internet, traditionalists will look back in gratitude that the 1979 *Book of Common Prayer* preserved as much as it did of trinitarian orthodoxy.

Liberalism Reconsidered

BETWEEN FACTS AND NORMS: CONTRIBUTIONS TO A DISCOURSE THEORY OF LAW AND DEMOCRACY. By JÜRGEN HABERMAS. Translated by William Rehg. *MIT Press. 680 pp. $42 cloth, $25 paper.*

Reviewed by **David M. Rasmussen**

MOST PEOPLE CONCEDE that liberalism has fallen on hard times. Even though modern political philosophy finds its basis in a liberal paradigm, that paradigm has begun to fade. Indeed, many of those who consider themselves part of the classical liberal tradition have begun to take seriously criticism of the tradition offered by modern communitarians, classical republicans, and traditional conservatives. One can see evidence of such liberal rethinking in Jürgen Habermas' important recent book *Between Facts and Norms.*

Habermas, who has had a long and controversial career as postwar Germany's most prominent public intellectual, has produced a most ambitious and comprehensive work. *Between Facts and Norms* offers an original reconstruction of the philosophy of language (drawing on the author's earlier *Theory of Communicative Action*), a theory of jurisprudence, an understanding of constitutional theory, reflections on civil society and democracy, and an attempt to construct a new paradigm of politics that goes beyond, without discarding, the liberal tradition.

At the heart of the book is a reconsideration of the relation between the philosophy of law and political theory. Law, Habermas says, is the primary medium of social integration in modern society. Law, in the first place, is power: it is a coercive instrument, linked with violence, that extracts obedience and common behavior from its subjects because of its claim to the power of enforcement. But power alone does not grant law its legitimacy. It is also based on a normative claim. In modern society, law derives its validity from consent, the consent of the governed. Habermas exposes the tension between the sheer facticity of the law and its normative claim to validity.

The tension, Habermas says, has developed from the modern process of secularization. In traditional society, established institutions could

DAVID M. RASMUSSEN *is Professor of Philosophy at Boston College and Editor-in-Chief of* Philosophy & Social Criticism. *He is the author of* Reading Habermas *(1990) and the editor of* The Handbook of Critical Theory *(1996).*

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represent a fusion of facticity and normative validity, a link sustained and reinforced by sacred authority. In secular modernity, however, as social differentiation leads people to distinguish between forms of social interaction—in this case, a distinction between legal coercion and law derived from mutual understanding—law emerges as a mode of integration stabilizing the separation between facticity and normative validity. Whereas traditional institutions represented a fusion of facticity and normative validity, in modernity mutual understanding replaces authority as the mechanism for mediating the spheres formerly regulated by habit and custom.

Some critics will argue with this purely secular view of the role of law. They would like to reestablish, in some fashion, the sacred authority that has been usurped by modernity. While not denying the claims of law, they would want to anchor those claims in a morality derived, at least in part, from that sacred authority. From this point of view, Habermas would still seem to be operating in the shadow of the classical liberal paradigm that derives the authority of the society from the authority of the individual. But it would be mistaken to dismiss Habermas' view as simply another expression of liberalism's faith in individualism, the unencumbered self, and egoistic autonomy.

Critics have been uncomfortable with liberalism's conception of law as rights, contending that liberals establish the rights of individuals without regard for the good of society. Liberals, it is said, think of individual rights as pre-political. Thus the modern conception of human rights is dissociated from the aims of society, resulting in a separation between rights and responsibilities. The liberal conception can justify rights against society, but it cannot justify obligations to the public realm. From this, critics charge, follows the decadence of modernity: public morality, social responsibility, even the motivational foundation for public democratic action must be sacrificed at the altar of the liberal conception of human rights.

Habermas contends that the liberal tradition has misunderstood the nature of the argument for human rights. This argument has to rely on something other than rational autonomy; rights have to have a source of legitimacy. If they are pre-political, derived solely from the nature of philosophical argumentation, they function independently of the political process.

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Habermas' solution is to rethink the relationship between law and politics with respect to human rights. Private and public autonomy, he argues, are co-original. Private autonomy provides for the rights of the individual. Public autonomy signifies what Europeans often call popular sovereignty or public will-formation. In the American context this would refer to "We the People," or the consent of the governed. Habermas argues that we should understand human rights as "the rights citizens must accord one another if they want to legitimately regulate their living together by means of positive law." Departing from the tradition outlined by Kant and Rousseau, Habermas refrains from deriving rights from subjective liberties. Human rights, rather, are political from the outset, in the sense that they are derived from the intersubjective relations of citizens who would grant those very rights to one another through consent.

Habermas' co-originality thesis makes a definite accommodation to the classical republican attempt to anchor the claims of law and politics in a social, and not purely individual, context. It meets the criticism concerning the liberal dissociation between rights and responsibilities. There remains, however, the question of precisely what this reformulation of rights through the body politic means.

Here we return to Habermas' view of law as the modern mechanism for social integration. In his Durkheimian reading of the evolution of modernity, traditional authority is replaced by new, more democratic forms traceable to the emergence of complex communicative modes of social interaction. Of course, this is the point many critics of liberalism will not buy. They will want to retain those more traditional forms of life, whether religious or secular. However, in doing so they too will have to come to terms with modernity, with its insistence on plurality, diversity, and toleration. The question is whether traditional authority can be reasserted in the context of other traditions.

BOTH HABERMAS AND his critics would affirm that law cannot be separated from society. The question then arises of the appropriate image of society with which law is to be associated. In the final chapter of *Between Facts and Norms*, Habermas makes the case for law as viewed through the deliberative paradigm. It is the argument for the deliberative paradigm that we now discover, late in the book, has been operating, in good Hegelian fashion, behind our backs from the beginning. As we know from Thomas Kuhn, paradigm shifts occur only when a governing paradigm begins to lose its power of explanation. As we discover now, from the historical perspective the liberal paradigm has been losing its power ever since the so-called welfare state began to emerge on the scene. It was only when the needs of the welfare state superimposed themselves upon the liberal paradigm that the latter began to lose its power, perpetuating a legal "crisis."

In Habermas' view, as the categories of formal law tailored to preserve the rights of autonomous individuals gave way to the social needs of the large bureaucracies generated by the welfare state, the claims of liberal individualism were undercut. The rights of individuals as individuals could be either suppressed or subordinated to the needs of the welfare state. The social-welfare paradigm "materialized" rights in such a way that the categories of freedom and equality as understood in the liberal paradigm were marginalized. Given the central thesis of the book, one could anticipate the critique: "Both views lose sight of the internal connection between private and *civic* autonomy, and thus lose sight of the demo-

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cratic meaning of a legal community's self-organization."

In this view, what is left out in arguments between classical liberals and welfare-state advocates is an adequate consideration of the role of law. Habermas insists on the circular relationship between private and public autonomy. Here he invokes his deliberative paradigm. The first principle of that argument is that the autonomy of citizens and the legitimacy of law "refer" to each other. In Habermas' view, in a "post-metaphysical world . . . the only legitimate law is one that emerges from the discursive opinion and will-formation of equally entitled citizens of a state." Put practically, the exercise of private autonomy can be granted only by legitimating acts of public autonomy. Private and public autonomy reinforce each other.

Habermas further accommodates his critics on the role of law by making a distinction between ethics and morality. In a modern pluralist culture, he argues, normative issues should be separated from issues of the good life. Thus, for example, the contextualist claims of communitarians would be allowed to stand as ethical claims. Only when various ethical traditions come into conflict with one another, as they inevitably do in a modern pluralist culture, do normative issues arise that have implications for everybody. In Habermas' deliberative paradigm, law stabilizes society, but only through the universal voice of democracy.

Critics of liberalism should read *Between Facts and Norms* if for no other reason than to discover how far their arguments have come, even among those of liberal inclination, in influencing the modern discussion of the relation between law and politics.

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***Reviewed by* Daniel Ritchie**

IN THE HOUSE OF a great writer are many mansions. Open the poetry of *Paradise Lost*, and soon you're entering vast rooms of Milton's thought on politics, education, and the Christian's relationship to culture. Begin to explore *Gulliver's Travels*, and Swift will end by leading you through his critique of the Enlightenment or Irish policy by way of a Grub Street garret or Hibernian hovel. The works of Edmund Burke are similarly vast and similarly fascinating, and with the end of the Cold War more of his mansions are being explored.

Most people come to Burke through his writings against the French Revolution. Because those writings seemed to comment so relevantly upon Marxism, Burke could not be read sympathetically by many critics until 1989. But since the end of the debate over communism, that has changed. Scholars are finding that Burke's use of language—his taste, his metaphors, and his choice of genres—is inseparable from his ideas, whether they concern Ireland or America, France or India, the church or the slave trade. Perhaps more important, Burke is being read by serious nonacademics who realize that purely secular or abstract foundations for free society will not sustain us into the next century. They are finding great value in Burke's understanding of tradition, ordered liberty, natural law, and the place of religion in a modern constitutional government.

The radicalism of Burke's day is close cousin to the radicalism of our own day, which is why Burke continues to make the ideological person mad (or glad), and the reflective person thoughtful. Faced with the first full-scale cultural revolution in history, Burke explained with grace and force that the role of custom, manners, and personal character is more fundamental to society than the form or content of law. Providing society with the capacity to reform and preserve these elements is therefore among the chief tasks of those in cultural authority.

More forcefully than anyone before or since, Burke explained why political principles and natural rights must be discussed in the context of actual historical and cultural conditions. They cannot be understood in the language of rootless ideologues or deracinated international bureaucrats, whose promised utopias seem always to end in the prison camp.

Burke also has much to teach about the central role of religion in modern democratic states. Democracies need religion and its institutions to remind them of the eternal order from which their natural rights derive, the moral order by which they will be judged, and the surrounding disorder with which they are threatened.

FOUR RECENT BOOKS show the range of interest Burke continues to spark. The books by Frederick Whelan and Nicholas Robinson are scholarship in the older sense—attempts to unearth new evidence or synthesize what is known in new ways. Whelan's *Edmund Burke and*

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India tells the story of Burke's long crusade for just treatment of India as it may be pieced together from published materials. He tells in simple prose a complicated and exotic story, filled as it is with zemindars, lakhs, and begams. More important, he relates Burke's critique, which is fundamentally based on a classical and Christian understanding of natural law, to his political philosophy as a whole. The speeches on the British East India Company retain their resonance for our day by showing that cultural sensitivity is attained by those committed to moral law, not to moral relativism.

Robinson's *Edmund Burke: A Life in Caricature* is a chronological commentary on the caricatures of Burke. By the sheer number of these cartoons, Robinson demonstrates that Burke was far more in the public eye than anyone of his day with the exception of the prime ministers and royalty—quite a feat for someone who never held Cabinet-level office and was never regarded as an insider. Burke gave the caricaturists nothing to work with in the way of personal corruption, but he was ruthlessly condemned as a traitor when he opposed the French Revolution and supported monarchy. How could the man whose legislation had reduced the king's power to dispense pensions in the 1780s emerge as the most eloquent defender of monarchy a decade later? Worse yet, how could he accept a royal pension in 1794? How could the pen that urged conciliation with the American colonies in the 1770s urge war with France in the 1790s? These questions are easily enough answered, but not in the space of the caricaturist's balloon. Welcome to the world of the sound bite.

THE BOOKS BY Frans de Bruyn and Steven Blakemore make use of recent literary theory to view Burke in new ways. De Bruyn's book begins with the sound premise that Burke's work is pervasively literary, and that his style is essential to his meaning. Burke's contemporary critics agreed. Tom Paine went so far as to consider his own *Rights of Man* a linguistic as well as a political revolution against the order represented by Burke. De Bruyn then compares Burke's literary strategies to works in contemporary and earlier eighteenth-century genres: satire, georgic poetry, the "letter to an eminent person" genre, and so on.

The problem with de Bruyn's book is that in chapter after chapter Burke is used to confirm the critical theories of Michel Foucault, Frederic Jameson, Terry Eagleton, and other postmodern critics. De Bruyn develops, for example, a complicated argument about how madness, misrule, and other social pathologies are "the inevitable products" of eighteenth-century polite society. As in so much postmodern criticism, these illusory Manichean opposites—social pathology/polite society—then assume a life of their own and virtually constitute the text as the critic perceives it. Burke's defense of his society and fear of its pathologies appears almost arbitrary: "While Burke's writings are deeply implicated in a popular and widespread discourse of cultural decay, he nonetheless chooses consciously to imitate a literary, high-cultural variant of that discourse." But since de Bruyn doesn't evaluate the moral, political, and spiritual content of Burke's choice—a content we could assess for its continuing merit today—the "polite society" defended by Burke seems hardly preferable to the cultural decay he feared. We end up with so ironic an attitude toward Burke that we are no longer in a position to learn what his writings can teach us about tradition or cultural revolution. It is unfortunate that so good a reader of the eighteenth century as de Bruyn adopts tools that, like the post-Heisenberg observer, obscure the object by the nearness of approach.

STEVEN BLAKEMORE'S book is even cannier than de Bruyn's, but more convincing. Focusing on three early respondents to Burke on the French Revolution, Blakemore performs successive acts of rhetorical ju-jitsu on them, overturning their arguments at their strongest points of attack. When Mary Wollstonecraft criticizes "tradition" for merely ratifying stereotypical male power and dominance, Blakemore responds by showing how she ironically reaffirms those very stereotypes. She turns herself into an aggressive "masculine" writer and manipulates Burke into her weaker "feminine" counterpart. Blakemore shows how Thomas Paine's false accusation that Burke was a secret pensioner of the crown in 1790 reflects Paine's own anxieties about having received a secret pension during the American Revolution. James Mackintosh, the best though least known of these three respondents, actually changed his mind on the Revolution. Later in life he used the very Burkean rhetoric he had earlier criticized.

In short, Blakemore shows that Paine and Wollstonecraft projected onto Burke their own anxieties and shortcomings, while Mackintosh found himself attracted to the language that repelled him. Burke's critics demonstrate one of his many prescient themes, that revolutionary ideology tends to turn into its opposite. Modern ideologies attempt to simplify politics by lifting certain principles—liberty, equality, fraternity—out of their surrounding historical conditions. As Blakemore's analysis makes clear, however, Burke shows that there is no genuine alternative to a politics that engages culture and society as one finds it.

Perhaps one reason Burke elicits so much interest today is that he knew he stood at the beginning of the modern era while we realize we are at its end. Hans-Georg Gadamer, a philosopher whose thought resonates profoundly with Burke's, points out that tradition is something that one belongs to and yet is "other" than oneself: "Self-understanding always occurs through understanding something other than the self." In order to gain insight from an encounter with the past, we need to acknowledge that

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we belong to its conversations and to the speakers we find there. Our encounters with the past occur within the historical tradition in which we are already situated and which alone makes knowledge possible. We cannot stand outside it with the scientific detachment of the modern or the ironic detachment of the postmodern. For Gadamer, as for Burke, new understanding arises when our present-day horizon fuses with the horizon of the older text. As our cultural horizon presents mounting evidence of breakdown, we need to reenter Burke's chambers, to converse and to listen.

BRIEFLY NOTED

The Flight from Science and Reason. Edited by Paul R. Gross, Norman Levitt, and Martin W. Lewis. *New York Academy of Sciences/Johns Hopkins University Press. 593 pp. $19.95 paper.*

This book contains the proceedings of a conference of the same title sponsored by the New York Academy of Sciences, and includes forty-two essays by a distinguished group of scholars in the sciences and humanities. Its purpose, like that of Gross and Levitt's earlier book, *Higher Superstition: The Academic Left and Its Quarrels with Science*, is to counter the trend towards unreason represented by such movements as social constructivism, feminist epistemology, eco-feminism, radical environmental philosophy, deconstructionism, and afrocentrism. The essays are with few exceptions excellent, and in some cases brilliant. Several contributors virtually identify reason, science, and Enlightenment rationalism, and regard the present crisis as being due to an abandonment of Enlightenment ideals. Given virtually no consideration in this book is the alternative view that what we are witnessing is not so much an attack on the Enlightenment as a decadent phase of it. Two questions are left largely unexplored: why this flight from reason is happening now, and why it is happening almost entirely on the political left. A blot on an otherwise fine book is its brief section on religion (presumably included to console the left), which treats all religion, except the most desiccated modernism, as a form of right-wing irrationality.

— *Stephen M. Barr*

Houses of God: Region, Religion, and Architecture in the United States. By Peter W. Williams. *University of Illinois Press. 344 pp. $34.95.*

The fourth of a six-volume interdisciplinary series of books on "Public Expressions of Religion in America." American religious historian Peter Williams' *Houses of God* is an impressively broad and well-written illustrated survey of American religious architecture and the circumstances of its creation. Attentive to the influences of liturgy, denominational tradition, architectural style, social class, and ethnicity, Williams has nevertheless chosen to view his subject primarily through the lens of region. His seven chapters range from New England to the Pacific rim (including Alaska and Hawaii). For obvious reasons, Williams focuses much attention upon the various mainline Protestant, evangelical, and Catholic communities that have possessed the economic wherewithal to produce grand architecture. But he does not forget (except for the Seventh-day Adventists) the churches and temples of smaller and more marginal religious communities, buildings typically overlooked in standard surveys of American architecture. *Houses of God* should appeal to a general audience, as well as to historians ignorant of American religious architecture and architects ignorant of American church history. The book's most irritating flaw is the author's relentlessly polite Episcopalian-scholarly prose: readable and informative, but not the penetrating or polemical critical analysis for which this topic calls. To anyone who does not share Williams' unarticulated but evident assumption that novelty is a primary and authenticating architectural virtue, or his equanimity in the face of the truly dreadful state of postwar religious architecture, *Houses of God* is irenic in the extreme. Nevertheless, highly recommended.

— *Philip Bess*

Theologians of a New World Order: Reinhold Niebuhr and the Christian Realists, 1920-1948. By Heather A. Warren. *Oxford University Press. 199 pp. $37.*

The author, who teaches at the University of Virginia, provides an informed overview and analysis of the Protestant thinkers who laid a moral and theological foundation for American internationalism. In addition to Niebuhr, figures such as John Bennett, Francis P. Miller, Georgia Harkness, and Henry P. Van Dusen played major parts in the development of a "Christian realism" that also shaped the beginnings of the World Council of Churches and—she indicates but does not argue—continues, mutatis mutandis, to mark the efforts of groups such as the Christian Coalition today. Perhaps that will be the subject of her next book. The present work evidences both a mastery of sources and analytic acuity in tracing the complex connections between the world of ideas and the direction of public affairs—connections more elusive when the ideas are theological and moral. A well-written and valuable study.

Restorers of Hope. By Amy L. Sherman. *Crossway. 254 pp. $13.99 paper.*

For local churches that are ready to get serious about really helping poor people, this is the book. As practical as it is hopeful, this volume reflects Sherman's thoughtful research into dozens of programs that have been tried and tested, pointing the way toward sustained

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and constructive engagement with better ways of fighting poverty.

INTERPRETING THE FREE EXERCISE OF RELIGION: THE CONSTITUTION AND AMERICAN PLURALISM. By BETTE NOVIT EVANS. *University of North Carolina Press. 294 pp. $45 cloth, $17.95 paper.*

The author makes an impressive case for an understanding of pluralism that requires a high degree of flexibility and nuance in the interpretation of the two provisions of the Religion Clause of the First Amendment—although she insists on treating them as two distinct propositions, or clauses, with the predictable result that she ends up in the separationist, albeit moderately separationist, camp in this debate. The accommodations that some seek for religious communities that have a radically different understanding of human flourishing are, she believes, incompatible with pluralism. The vision of such communities is "perhaps ultimately preferable to the plural one," but "such a vision is ultimately not consistent with the American cultural and political heritage. Whether one thinks it is better or not, it is simply not *ours*." Her italicized "ours" is the nub of the argument. Like John Rawls, she finally posits her universe as normative, refusing to recognize that this is a de facto establishment of religion imposed against the threat of establishing religion. Nonetheless, Professor Evans has made a well-argued and civil contribution to the never-ending debate about religion and public life.

THE PROTESTANT FACE OF ANGLICANISM. By PAUL F. M. ZAHL. *Eerdmans. 112 pp. $19.*

The dean of the Episcopal Cathedral in Birmingham, Alabama, has produced a spirited tract in unapologetic defense of the Protestantism of Anglicanism. It would not please the authors of an earlier tractarian movement, as Mr. Zahl knows full well. Whether his mix of theological orthodoxy and evangelical piety centered in unmediated grace has a future in the Episcopal Church of this country is, to say the least, uncertain.

LAST RIGHTS? ASSISTED SUICIDE AND EUTHANASIA DEBATED. Edited by MICHAEL UHLMANN. *Eerdmans. 656 pp. $35 paper.*

A splendid achievement. Uhlmann of the Ethics and Public Policy Center in Washington, D.C., has put together a remarkable range of information and arguments bearing on continuing debates about the end, and ending, of life. The book is that unusual thing, a debate that really lets all sides have at it. There are essays by Ronald Dworkin, Hadley Arkes, Jack Kevorkian, Derek Humphry, Leon Kass, and Gilbert Meilaender, as well as the Ramsey Colloquium's "Always to Care, Never to Kill," plus pertinent court decisions and statements by medical associations. This is an indispensable reference in a controversy that will continue to roil our public life for as long as life continues to be terminal.

THE IRONY OF VIRTUE: ETHICS AND AMERICAN POWER. By ERNEST W. LEFEVER. *Westview. 254 pp. $26.*

Lefever was the founding president of the Ethics and Public Policy Center in Washington, D.C., and was nominated by Ronald Reagan for the human rights desk in the Department of State but was not confirmed. Starting out as a liberal pacifist in World War II, Lefever's was a stormy path to the Niebuhrian "realism" that he staunchly defended during the Vietnam years and defends still today. This book of essays written over several decades captures a significant part of past and present Protestant debates about the imperatives of moral responsibility in a fallen world.

TRAPPIST: LIVING IN THE LAND OF DESIRE. By MICHAEL DOWNEY. *Paulist. 176 pp. $35.*

The land of desire is Mepkin Abbey in Moncks Corner, South Carolina, a Cistercian monastery. This movingly beautiful book is adorned with striking photographs, both color and black and white, by Michael Mauney. The text by Michael Downey is an invitation to understand how people today are still finding their lives by losing their lives in prayer, work, and the contemplation of the mystery of God. Warmly recommended.

THE NEW RELIGIOUS HUMANISTS: A READER. Edited by GREGORY WOLFE. *Free Press. 306 pp. $25.*

The editor of *Image*, a journal of religion and the arts, has brought together essays by some of the finest writers around, including several regular contributors to these pages, to address the connections between religion and the human project. He is guided by Max Stackhouse's definition of religious humanism: "Humanity cannot be understood without reference to God; and neither God nor God's revelation can be understood except through the lens of thought and experience." In his introduction Wolfe suggests, with some justice, that alternative humanisms have exhausted themselves, and that we just might be witnessing a resurgence of an understanding of the human that begins with our beginning and proper end. This book provides heartening support for that hope.

OUR SUNDAY VISITOR'S ENCYCLOPEDIA OF CATHOLIC DOCTRINE. Edited by RUSSELL SHAW. *Our Sunday Visitor. 751 pp. $39.95.*

If you have the *Catechism of the Catholic Church*, why would you need a book such as this? The answer is that this is much more than a clear statement of "doctrine," although it is that. The forty eminently qualified contributors have produced brief articles on almost all facets of contemporary Catholic faith and life, providing a reliable guide also to current controversies. A valuable reference for academic, parish, and personal libraries.

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Concluding Unscientific Postscript to *Philosophical Fragments*. By Soren Kierkegaard. Volume I. Edited and translated by Howard V. Hong and Edna H. Hong. *Princeton University Press. 630 pp. $99.50 cloth, $29.95 paper.*

The Hongs continue their inestimable contribution to Kierkegaard studies with a fresh translation of one of his most eccentrically brilliant works. The notes supplied by the editors skillfully illuminate the intellectual and spiritual world against which SK rebelled and, in his rebelling, changed.

The Triumphs of Joseph: How Today's Community Healers Are Reviving Our Streets and Neighborhoods. By Robert L. Woodson. *Free Press. 158 pp. $20.*

Woodson heads the National Center for Neighborhood Enterprise and here relates the grassroots methods by which contemporary "Josephs" use mediating institutions to triumph over the "Pharaoh" of oppressive urban poverty. The book includes an incisive essay by William A. Schambra on the contrasts between government and voluntary efforts to renew troubled communities.

THE CALVIN EXPERIENCE

James D. Bratt

Ph.D. from Yale; co-author of *Gathered at the River* (William B. Eerdmans, 1993); author of *Dutch Calvinism in Modern America* (Eerdmans, 1984); member of Advisory Board of Institute for the Study of American Evangelicals; awarded Fulbright Grant; expert on American intellectual and religious history; chair of Calvin's history department.

Bert de Vries

Ph.D. from Brandeis; expert in archaeology and world history; former director of the American Center of Oriental Research in Amman, Jordan; Albright Fellow of the American Schools of Oriental Research; directed reconstruction at Umm el-Jimal for the Department of Antiquities of Jordan; history professor at Calvin.

Ronald A. Wells

Ph.D. from Boston University; author of *History Through the Eyes of Faith: Western Civilization and the Kingdom of God* (Harper & Row, 1989); expert in Northern Ireland's history and sectarian conflict; director of the nationally known interdisciplinary Calvin Center for Christian Scholarship; professor of history at Calvin.

'Truth is Essential'

There's a counterpoint to Henry Ford's oft-repeated maxim that history is, more or less, bunk. It flows from the pen of Miguel de Cervantes in *Don Quixote*. He regards history to be "a sacred kind of writing, because truth is essential to it, and where truth is, there God himself is..."

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THE PUBLIC SQUARE

A Continuing Survey of Religion and Public Life

Richard John Neuhaus

A Tacit Admission of Defeat

As a celebrity is someone who is famous for being famous, so the news is what is declared to be news. And nobody declares with such influence as our local paper, the *Times*. People who have tracked the issue over the years will find little that is new in the *Times'* report, but it is nonetheless significant that this is the lead story one week before the twenty-fifth anniversary of *Roe v. Wade*. The two-column headline is, "Public Still Backs Abortion, But Wants Limits, Poll Says. A Notable Shift From General Acceptance." It may be only a one-time shift for the *Times*, but it is a notable shift in that paper's reporting of the abortion story.

The *Times*/CBS poll shows that only 15 percent of Americans say abortion should be permitted in the second trimester, and that falls to 7 percent support for abortion in the last three months of pregnancy. The unlimited abortion license established by *Roe* is thus supported by only 7 percent of respondents. Moreover, 50 percent say that "abortion is the same thing as murdering a child," while 38 percent do not say it is the same thing as murder. One-third of the 50 percent, however, say that "abortion is sometimes the best course in a bad situation," while many of the 38 percent who are not prepared to say it is murder do think abortion is a bad thing that should be permitted only in bad situations.

Although not particularly new, such findings have to be very painful to the *Times*, which for more than thirty years (going back to the 1960s' agitation for "liberalized" abortion law) has been a relentless advocate of abortion on demand. The spin that the *Times* puts on the story is fascinating. The story reports that 80 percent of respondents support measures such as parental consent and a waiting period for abortions, but then notes that 60 percent say that "the Government should stay out of decisions on whether abortion should be legal." So who is going to determine what is legal if not the government? Making the best of unwelcome news, the gist of the *Times'* report is another variation on the "personally opposed but" theme. The point is that while people are personally turning against abortion they don't want it to be a political issue; ergo, don't change the abortion regime of *Roe v. Wade*.

Toward the end of the long account we read, "If advocates on both sides have made little progress, it could be partly because of their image." This is followed by the observation that anti-abortionists are widely viewed as extremists while abortion-rights advocates are thought to be reasonable. The *Times* story is as incoherent as some of the opinions it reports—such as murder being the best course in bad situations. Given the position of the *Times* and other extremist proponents of abortion rights over the last three decades, it is patently false to suggest that "both sides have made little progress." The position of the reproductive rights advocates has been thoroughly routed in the arena of public opinion.

Remember that that position aimed at an absolute exclusion of the question of the unborn child and an acceptance of abortion not just as a regrettable necessity but as a liberty to be morally affirmed. The new poll asks, "Is abortion more of an issue involving a woman's ability to control her body or an issue involving the life of a fetus?" Forty-five percent say "life of the fetus" and 44 percent say "control of her body." Change the question to refer not to "the fetus" but to "the unborn child" and we know from other polls that the 45 percent would likely jump to near 70 percent. Substitute "whether the woman wants the baby" for "a woman's ability to control her body" and the disparity is even greater.

For the pro-abortion lobby, the January 16 headline story is a tacit admission of crushing defeat. Not that the *Times* editorial board or the other advocates of the unlimited abortion right are about to give up. As is evident in their don't-give-an-inch defense of partial-birth abortion, they will fight every step of the way. The heartening fact is that they are now forced to admit that, despite a quarter

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century of all-out effort by almost every opinion-making establishment in the country, the American people overwhelmingly reject the idea that abortion should be permitted for any reason (or no reason) throughout the entire course of pregnancy—and, in the case of partial-birth abortion, beyond. Support for the regime established by *Roe* is so low as to approach a poll's margin of error. Twenty-five years after *Roe,* the moral, cultural, and political dynamic is moving, step by difficult step, toward the goal of "every unborn child protected in law and welcomed in life." The prospect of reversing the monstrous rule of *Roe* is at long last within sight.

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Needed: Another Black Book

Veteran ecumenist Paul Oestreicher of Coventry Cathedral in England recently suggested that the World Council of Churches (WCC) has an obligation to examine its record during the Cold War years. This prompted a defensive response from Konrad Raiser, General Secretary of the WCC: "In retrospect we might have done more publicly. But we would continue to defend without apology what we did to draw the churches of Eastern Europe into the ecumenical movement, in full recognition of the limitations of their position, to draw them out of isolation . . . accepting that this could only be done within certain narrowly defined limits, but within these limits to do as much as possible." As has been amply documented over the years, working within those "narrowly defined limits" meant that for decades the WCC cooperated with the Communist-controlled churches of the Soviet empire in not protesting, and frequently advancing, the political and ideological purposes of their masters.

More specifically, the WCC routinely denied or belittled religious persecution in Eastern Europe. When forced to acknowledge specific instances of persecution, the WCC claimed it was working on the problem through "quiet diplomacy," and loudly condemned public protest as anti-Communist hysteria. In almost every crucial conflict of political or military policy between the Soviets and the Western democracies, the WCC took the side of the Soviets. In the absence of heroism, the Eastern churches had no choice but to serve as mouthpieces for Soviet "peace and disarmament" propaganda. The WCC's collusion was freely chosen—in some cases out of a sincere desire to keep the Eastern churches "engaged in the ecumenical movement." In other cases, one can only assume that the main players in the WCC agreed with the Soviet position or for some other reason were willing to play the part of what Lenin called communism's "useful idiots."

Among the chief experts on what happened during the Cold War are the dissidents who have been so thoroughly vindicated. Aleksandr Solzhenitsyn made no secret of his contempt for the WCC, but there is hardly a dissident alive who did not at the time view the WCC as guilty of complicity in the oppression of his people. The WCC never wearied of its agitation for "coexistence" with the Soviet empire, on the assumption that communism was a permanent feature of world history. In its public statements and literature, the WCC repeatedly put the burden of blame for the Cold War on the West, called for "understanding" of Soviet reactions to alleged Western aggressions, mocked the idea of "the free world," and frequently championed the moral superiority of the measure of justice achieved by regimes such as the Soviet Union and Maoist China. Such is the unhappy record that makes urgent Paul Oestreicher's call for a thorough accounting.

Such an accounting must be undertaken with care. The purpose must not be vindictive or to score points against a now beleaguered institution. The goal is to learn what happened and why, to repent of wrongs done in the sure knowledge of forgiveness, and to attain a measure of wisdom in trying to prevent such evils in the future. The modern ecumenical movement that began in 1910 and gave birth to the WCC, along with the WCC's notable achievements in Faith and Order, should, as much as possible, be kept distinct from its political and ideological role during the Cold War. In the past year, the publication of *The Black Book of Communism* has caused an enormous stir in France. Many have been compelled to reexamine their history as active supporters or apologists for an evil that took no less than 100 million human lives. Christians should not be the last to engage in self-examination leading to repentance and newness of life.

To be sure, evangelical Protestants and others who opposed the ecumenical movement will be tempted to gloat over the sins of the WCC, and some will certainly not resist the temptation, but that is an embarrassment to be borne. Dr. Raiser says he would welcome an honest accounting and gives assurances that the archives of the WCC are open to independent researchers. One hopes that there are responsible scholars who will take him up on that offer. They will not have to begin from scratch. Over the last half century a substantial literature has grown up around the WCC and its part in the Cold War. The WCC and its defenders dismiss much of that literature as polemical, and much of it indeed is. To be fair, there was a great deal to be polemical

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about. But honest criticism, although sometimes hard to take, should not be confused with polemics.

Admittedly, some might think the needed research is a waste of time. Let the dead bury their dead, it is said, assuming the WCC is either dead or moribund. For all its institutional difficulties and diminished influence, I believe that assumption is wrong. The WCC remains the principal organization linking the oldline Protestant churches of the West with Eastern Orthodoxy. In addition, the WCC is of great importance to Protestant communions in the poor world, especially in Africa and Asia, where the mainline denominations are typically more vibrant and orthodox than in Europe or the U.S. We Americans must resist the inclination to think that the free-fall of the mainline/oldline bodies in this country is representative of the state of, for instance, Methodism, Anglicanism, or Presbyterianism around the world.

Whatever its reduced circumstances and influence, the WCC will likely be around for a long time and it deserves to be taken seriously. Even were it to go out of business tomorrow, which it won't, a new generation of Christians deserves a thorough, fair, and scrupulously honest account of an institution and a movement that represented, apart from the Catholic Church, the most public face of world Christianity during the long twilight years of one of the most momentous contests in human history.

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UNASSUMING, AND ALL ABOVE AVERAGE

Students of American religion have been saying for a hundred years that Lutheranism is "the sleeping giant" of American Protestantism. It has become something of a cliché, but that does not deter Robert Benne, no stranger to these pages, from taking up again the question of why Lutherans, of whom there are more than ten million in this country, seem to be so underrepresented among our cultural, intellectual, and political elites. This Benne calls "the Lake Woebegone syndrome" made famous by Garrison Keillor, who is now himself a Lutheran.

There are exceptions to Lutheran anonymity, to be sure, such as Martin E. Marty of the University of Chicago and Jaroslav Pelikan of Yale, as well as, according to Benne, this scribe "in his earlier Lutheran incarnation." Of Neuhaus he writes, "Indeed, in the field of religion and public life it is difficult to name a more influential figure in American life." That's going much too far, but it's nice to know one has not been disowned by his Lutheran friends (not that I ever had occasion to worry about that). Then too, Benne notes that there is Chief Justice William Rehnquist and national political figures such as Ernest Hollings, Paul Simon, and Edwin Meese, but after that one really starts to reach.

Benne thinks Lutheran reticence has to do with justification by grace, from which follows an aversion to anything flashy in the good works department. And there are other factors: "Thus, Lutherans are not only receptive in terms of grace; they show a similar posture in the categories of time and space. They receive with gratitude the 'places' they have been given. In them they express a marked 'dailiness' that is often unrecognized by a world that celebrates the unusual and dramatic. It is in the ordinary times of work, play, love, and worship that the Christian life is lived. Add together these three elements—justification by grace, locatedness, and dailiness—and you do not have the formula for world-beaters in the public sphere. Glory and power are not Lutheran concepts; bearing the cross is a more likely one. Further, they do not worry overmuch about their election and signs of the same. They are less likely to think they are glorifying God in their callings than humbly helping their neighbor. They shun the schemes of works righteousness so heavy in some forms of Protestantism. They don't even make the 'decisions for Christ' that some of our more Pelagian brothers and sisters are wont to make. Indeed, the Lutheran tradition may tend to make them footsoldiers of the Lord rather than his generals or colonels. Certainly, they may have a few of those elite and perhaps a few more sergeants and lieutenants. But their piety is more fit for humbler things. They take seriously the paradoxical nature of life on earth." In any event, Benne is not going to let the low visibility of Lutherans keep him awake at night. "The most helpful engagement with the public world might be through faithful husbands and wives, mothers and fathers, workers and teachers, doctors and lawyers, volunteers, pastors, and laity. Without the healthy 'small platoons' that these Christians sustain, there won't be any public life worthy of the name anyway."

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A POSITION NOT, OR NOT YET, MANDATED

Because of the Oklahoma City bombing and other events, there is a new debate (or a renewed old debate)

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about the wisdom and morality of capital punishment. Of particular interest are exchanges between such as John DiIulio (against) and Walter Berns (for) in the pages of the *Wall Street Journal*. One of the major protagonists in the debate writes to ask, "What is the official position of the Catholic Church on capital punishment?" This is what I wrote him in response, and perhaps it will be of wider interest:

"Ah yes, the 'official' position on the death penalty. The position of the National Conference of Catholic Bishops is resolutely opposed to its use, full stop. But theirs is not the official position in the sense of binding doctrine. The present state of doctrine is suggested in *Evangelium Vitae*, the teaching of which has been incorporated also into the Latin text of the Catechism.

"The right of the state in justice to execute criminals is not denied. *EV* suggests that the only legitimate reason to do that is if there is no other way to protect society. In this connection, the encyclical makes no reference to retributive justice, which has been an important part of the Catholic tradition's teaching on the death penalty and on punishment more generally. *EV* does not explicitly deny the claims of retributive justice, but their absence from the argument is undoubtedly significant.

"In addition, the Holy Father is unmistakably clear in stating his judgment that, at least in advanced societies, circumstances very seldom, if ever, justify the use of capital punishment. The proponents of capital punishment can and do make the argument that this is merely the Pope's prudential judgment regarding contingent circumstances, and therefore not normative teaching. They can and do contend that the death penalty is necessary to protect society. Before *EV* their position was in the mainstream of magisterial Catholic doctrine, and it is certainly a position that is still permissible and within the bounds of the Church's teaching.

"What we may be witnessing here is what Cardinal Newman called the development of doctrine. The critical question, I believe, is retributive justice, and the policies that that entails. I do not expect that question to be definitively addressed during this pontificate, but I may be wrong about that.

"So where does all this leave us? A conscientious Catholic who supports the use of the death penalty in anything but the most extraordinary circumstances must give due consideration to the fact that the bishops conference, and most likely his own bishop, strongly disagree. He must give most particular consideration to the fact that the Pope disagrees, and *may be* declaring as doctrine that 'extraordinary circumstances' is defined as circumstances in which there is no other way to protect society. Moreover, such a Catholic must be prepared for the possibility that the Church is moving toward a definitive moral prohibition of capital punishment, in which case wholehearted assent to such teaching is required.

"Can a Catholic with rightly formed conscience support the use of the death penalty? Yes, but reluctantly and in narrowly limited cases. Can a Catholic with rightly formed conscience support the prohibition of the death penalty? Most certainly yes—as a matter of policy and prudential judgment informed by the Church's teaching but not, or not yet, mandated by the Church's teaching.

"That at least is my understanding of the state of the question. I hope this is helpful and am following with interest the renewed debate on these matters."

FT

Apologies on the Cheap

Paul Johnson (whose big history of the American people, just published, will be receiving attention in these pages) has had enough. Paul Johnson specializes in having had enough of a lot of things. And most of the time he is right. He is right, for instance, about this growing fashion of apologizing for what people did in the past. I gather that President Clinton has dropped the idea of an official apology for American slavery, and a good thing, too. People who did bad things should apologize, and sometimes they do. "By contrast," writes Johnson, "the modern fashion has not one iota of genuine sincerity in it." "These are bogus apologies by people who had nothing to do with the events deplored and lose nothing by saying they were wrong. They are an attempt to gain moral kudos at the expense of the long dead."

Nor does Johnson approve of some of the moral judgments being made. "The Spanish Church is said to be pondering an apology for supporting Franco during the civil war. As Paul Claudel pointed out in a famous poem, the Spanish Reds, under Stalin's orders, murdered and tortured to death twelve thousand priests, monks, and nuns, as well as burning down hundreds of churches, long before Franco came on the scene. It was his arrival which prevented the church's total destruction. It was not only right, it was imperative that it support him, quite apart from the fact that he kept Spain out of the war, gave it forty years of peace and a middle class, and laid the foundations of its present prosperity."

If, on the other hand, judgments are to be made, Johnson has some nominations of his own. For instance, he fondly hopes the French will get around to apologizing for Napoleon, who was responsible

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for the deaths of two to four million people, "which, granted the smaller population of those days, puts him right in the Hitler-Stalin-Mao league as a mass killer." But, in general, Johnson is against the surrogate confession business altogether. "There is something repellent, as well as profoundly unhistorical, about judging the past by the standards or prejudices of another age. Let the dead bury the dead. Or at least let us not dig them up."

One hates to dash cold water on Mr. Johnson's fine polemic, but he goes a blast too far when he says John Paul II is implicated in the trend he deplores. "It is a pity," he writes, "that the Pope, whom in most respects I revere, is taking part in this charade." He mentions the Pope's apologies on anti-Semitism and the Galileo unpleasantness, and is worried about a rumor that an apology for the St. Bartholomew Day massacre is under consideration. "Why can't he leave this to the Guises and the Valois, if their descendants are still around?" asks Johnson. "It is none of his business." Then, succeeding in his effort to be outrageous, he adds, "Anyway, there are some of us who believe that massacres of Protestants are not necessarily, or always, a Bad Thing."

But sins committed by Christians is very much the business of the Pope. It is the business of all Christians. As Mary Ann Glendon has pointed out in these pages (see "Contrition in the Age of Spin Control," FT, November 1997), there is a real danger that others will unfairly exploit the confession of Christian sins. And Jean Duchesne (see "Letter from Paris," FT, February 1998) has noted that Catholic bishops in France confess the sins of Catholics during the Vichy era to God, not to those who demand that the Church apologize, although the confession is made in their hearing. Johnson's problem is in confusing the Church with secular institutions such as the nation-state. In *Tertio Millennio Adveniente* and elsewhere, John Paul II is saying that the Church must cross the threshold of the millennium on her knees if she is to walk upright in the next century. Christianity is a corporate thing. In the Church, the dead are not dead; in Christ we live in communion with all who are in Christ—past, present, and future. We are implicated in the weakness of the sinners as, happily, we are implicated in the holiness of the saints.

St. Paul writes, "If one member suffers, all suffer together; if one member is honored, all rejoice together. Now you are the body of Christ and individually members of it" (1 Corinthians 12:26-27). The Christian cannot say "I" without saying "we." One of the most compelling prayers of the Mass is spoken by the priest immediately before the Sign of Peace: "Look not on our sins but on the faith of your Church." While the Church eschatologically understood as the Bride of Christ is sinless, it is composed of sinners. We confess the sins of the sinners, beginning with our own, as we invoke the virtues of the saints, knowing that we are all, by God's grace, sinners forgiven. The grace of forgiveness is the nub of the difference between what the Pope is saying and what is being said by those who "attempt to gain moral kudos at the expense of the long dead."

In both instances there is an assumption that we today view some things as wrong that were not viewed in the same way by those who went before us. Any temptation to think that this makes us morally superior people should be checked by the awareness that they clearly understood to be wrong much that is today approved or viewed with indifference. On one side of the ledger are items such as racial segregation and anti-Semitism; on the other are items such as abortion, divorce, homosexuality, and irreligion. But the fact that there are both advances and regressions in moral understanding is not the main problem with Paul Johnson's essay.

What Mr. Johnson is rightly protesting is the sacralization of politics, a subject on which he has written intelligently in the past. The state or nation commits the fallacy of misplaced ecclesiology, pretending to be a corporate person comparable to the Church. Unlike the Church, presidents and other public figures have neither the competence to judge nor to absolve. Unlike the statements of the Pope, their confession of the sins of others is a "charade" thinly disguising an assertion of moral superiority. A nation and state can deal with crime and clemency. Sin and forgiveness are the business of the Church. It is a distinction that ought not to be lost on someone ordinarily as astute as Paul Johnson.

FT

I don't think I've ever run an entire piece from another publication, but this is no ordinary piece. The following editorial in the January 26 issue of National Review, *reprinted with permission, bids fair to become a classic in the literature of a dispute that, more than any other, will determine the fortunes of the American experiment. See if you don't agree.*

DEAD RECKONING

A quarter century has passed since the Supreme Court struck down the laws of every state in the nation, in the name of a constitutional right to abortion it had just discovered. In *Roe v. Wade*, the Court prohibited any regulation of abortion in the first trimester, allowed only regulations pertaining to the health of the mother in the second, and mandated that any regulation in the third make an exception for maternal health. In the companion case of *Doe v. Bolton*, the Court insisted on the

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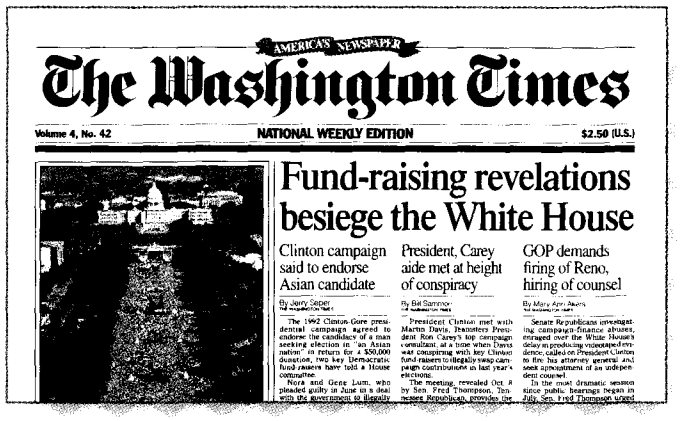

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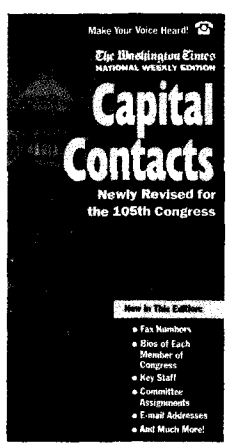

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broadest definition of health—economic, familial, emotional. Legal scholar Mary Ann Glendon describes the result as the most radical pro-abortion policy in the democratic world. It permits abortion at any stage of pregnancy, for any reason or for no reason. It has licensed the killing of some thirty-five million members of the human family so far.

The abortion regime was born in lies. In Britain (and in California, pre-*Roe*), the abortion lobby deceptively promoted legal revisions to allow "therapeutic" abortions and then defined every abortion as "therapeutic." The abortion lobby lied about Jane Roe, claiming her pregnancy resulted from a gang rape. It lied about the number of back-alley abortions. Justice Blackmun relied on fictitious history to argue, in *Roe*, that abortion had never been a common law crime.

The abortion regime is also sustained by lies. Its supporters constantly lie about the radicalism of *Roe*: even now, most Americans who "agree with *Roe v. Wade*" in polls think that it left third-term abortions illegal and restricted second-term abortions. They have lied about the frequency and "medical necessity" of partial-birth abortion. Then there are the euphemisms: "terminating a pregnancy," abortion "providers," "products of conception." "The fetus is only a potential human being"—as if it might as easily become an elk. "It should be between a woman and her doctor"—the latter an abortionist who has never met the woman before and who has a financial interest in her decision. This movement cannot speak the truth.

Roe's supporters said at the time that the widespread availability of abortion would lead to fewer unwanted pregnancies, hence less child abuse; it has not. They said that fewer women would die from back-alley abortions; the post-1940s decline in the number of women who died from abortions, the result of antibiotics, actually slowed after *Roe*—probably because the total number of abortions rose. They said it would reduce illegitimacy and child poverty, predictions that now seem like grim jokes.

Pro-lifers were, alas, more prescient. They claimed the West had started down the slippery slope of a progressive devaluation of human life. After the unborn would come the elderly and the infirm—more burdens to others; more obstacles to others' goals; probably better off dead, like "unwanted children." And so now we are debating whether to allow euthanasia, whether to create embryos for experimental purposes, whether to permit the killing of infants about to leave the womb.

And what greater claim on our protection, after all, does that infant have a moment *after* birth? He still lacks the attributes of "personhood"—rationality, autonomy, rich interactions—that pro-abortion philosophers consider the preconditions of a right to life. The argument boils down to this assertion: If we want to eliminate you and you cannot stop us, we are justified in doing it. Might makes right. Among intellectuals, infanticide is in the first phase of a movement from the unthinkable to the arguable to the debatable to the acceptable.

Everything abortion touches, it corrupts. It has corrupted family life. In the war between the sexes, abortion tilts the playing field toward predatory males, giving them another excuse for abandoning their offspring: She chose to carry the child; let her pay for her choice. Our law now says, in effect, that fatherhood has no meaning, and we are shocked that some men have learned that lesson too well. It has corrupted the Supreme Court, which has protected the abortion license even while tacitly admitting its lack of constitutional grounding. If the courts can invent such a right, unmoored in the text, tradition, or logic of the Constitution, then they can do almost anything; and so they have done. The law on everything from free speech to biotechnology has been distorted to accommodate abortionism. And abortion has deeply corrupted the practice of medicine, transforming healers into killers.

Most of all, perhaps, it has corrupted liberalism. For all its flaws, liberalism could until the early seventies claim a proud history of standing up for the powerless and downtrodden, of expanding the definition of the community for whom we pledge protection, of resisting the idea that might makes right. The Democratic Party has casually abandoned that legacy. Liberals' commitment to civil rights, it turns out, ends when the constituency in question can offer neither votes nor revenues.

Abortion-on-demand has, however, also called into being in America a pro-life movement comprising millions of ordinary citizens. Their largely unsung efforts to help pregnant women in distress have prevented countless abortions. And their political witness has helped maintain a pro-life ethic that has stopped millions more. The conversions of conscience have almost all been to the pro-life side—Bernard Nathanson, Nat Hentoff, Elizabeth Fox-Genovese. The conversions of convenience have mostly gone the other way, mainly, politicians who wanted to get ahead in the Democratic Party—Jesse Jackson, Dick Gephardt. The fight against abortion has resulted in unprecedented dialogue and cooperation between Catholics and Protestants, first on moral values and now on theological ones. It has helped transform the Republican Party from a preserve of elite WASPs into a populist and conservative party.

True, few politicians of either party—with honorable exceptions like Henry Hyde, Chris Smith, Jesse Helms, Bob Casey, Charles Canady, and Rick Santorum—have provided leadership in the struggle. Not because opposition to abortion is unpopular—throughout the *Roe* era, 70 percent of the public has supported laws that would prohibit 90 percent of abortions—but because politicians, and

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even more the consultants and journalists and big-money donors to whom they listen, tend to move in elite circles where accepting abortion is de rigueur and pro-life advocacy at best an offense against good taste. Since everyone they know favors legal abortion, they understandably conclude that everyone does. But there is progress even here. The pro-abortion intellectual front is crumbling. Supporters of the license increasingly concede that what they support is, indeed, the taking of human life. Pro-lifers, their convictions rooted in firmer soil, have not had to make reciprocal concessions.

There can be little doubt that, left to the normal workings of democracy, abortion laws would generally be protective of infants in the womb. The main obstacle on our path to a society where every child is welcomed in life and protected in law, then, remains what it has always been: the Supreme Court. There abortionism is well entrenched; and last year the Court appeared to slam the door on the legal possibility of a congressional override of its decisions on abortion or anything else. By defining a practice at odds with our deep and settled moral convictions as part of the fundamental law of the land, the Supreme Court has created a slow-motion constitutional crisis. This is what comes of courting death.

FT

While We're At It

■ The President showed up, as did the chairman of the Federal Reserve. A very dapper Rev. Jesse Jackson, in his best vested pinstripes, told Alan Greenspan he appreciated his coming to the party. "You raised my stock, thank you very much." That is not all that was raised. Two brokerage firms gave Mr. Jackson's privately held company, Rainbow/PUSH, $400,000 to pay for the two-day bash on Wall Street, the ostensible purpose of which was to promote minority hiring in the financial world. There was, in addition, a dinner for 450 on the floor of the stock exchange with a charge of $500 per head and entertainment by singer Roberta Flack. The next day was a lunch at $350 per guest. Asked what the conference had achieved, Mr. Jackson alluded to the history of slavery: "For 250 years blacks were listed as commodities. There are these definable, quantifiable gaps in our economy. The investment gap, the education gap, and the trade gap in our economy. Wall Street stands to gain if it closes the gap." Meanwhile, both Wall Street and Mr. Jackson do handsomely from the unclosed gap. In return for what is merely money, the business culture of cool is supplied with sumptuous entertainment delicately seasoned with a hint of demand for social justice. It all comes down to supply and demand, with Mr. Jackson supplying the demand for public certification that Wall Street has a conscience, however undemanding. And to think that there are those who doubt the infinite creativity of capitalism.

■ Like many students of Hans Urs von Balthasar, I have never been able to quite understand his devotion to the thought of Adrienne von Speyr, a friend and mystic to whom he declared himself so greatly indebted. At times he went so far as to say that the greatest part of his own work is simply an inadequate attempt to give theological expression to her insights. What she published on her own is interesting but, frankly, does not seem that remarkable. An exception is the forty-page appendix to Balthasar's book *Our Task* (Ignatius), in which he explains their collaboration and the secular institute that they founded together. The appendix is Balthasar's record of her vision of a visit to heaven in which she came to understand the relationship between Christ and Scripture. "He does not want to have his life at his own disposal. It was in the will of the Father that he lived his life; it was the Father's will that in his life he revealed; and it was according to the Father's will that he let himself be resurrected. So he does not want to be in charge of his life now, like someone who has had some experience and constantly talks about it. No, it is part of his perfect self-giving that he continues to be given in heaven, in the sense that he entrusts the story of his self-giving to the Spirit. It is entrusted to the Spirit, who henceforth does not work on his own but with the cooperation of Christians. The Spirit has been received by them, with them he blows, and through them he wants to waft through the whole world. The Scriptures contain no retractions on the part of the Son. The Son does not say, 'It was different from this, more could be said about it,' or 'No human being will ever know what I went through in the temptations,' or 'I could have told the whole story better myself,' and so on. No, it is an essential part of the Spirit's role in the redemption of the world that this portrayal and exposition and inspiration are his work." That is a heavy-duty reflection. It strikes me as having the additional merit of being true. Of course it means that Jesus does not need Norman Mailer to help him tell the story as it really happened. More important, it suggests that there is something fundamentally misguided in biblical scholarship that tries to "get behind" the scriptural account and its reception by the Spirit-guided community of faith. I cannot say that Adrienne von Speyr received this insight while on a visit to heaven. God and Adrienne von Speyer—and now, I would like to think, Balthasar—know whether that is the case. But it is an insight very much worth

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pondering, as is the entire appendix to *Our Task*.

■ *Preparing Sunday Without the Eucharist* is a new title from the Liturgical Press. In places where there is no priest to say Mass, the booklet will "help preparation teams prepare fulfilling celebrations." Uh huh. Contra those who exaggerate the "priest shortage," often in the service of advocating married and women priests, there are relatively few places in the U.S. where Mass is no longer said for want of a priest. Almost everywhere the problem can be overcome by driving a distance comparable to driving to the mall. It is to be feared that Sundays without Mass are favored by people who like to make up their own rituals, and by those more attached to their place of meeting than to the One who meets us in the Eucharist. The need for fulfilling noncelebrations is virtually nonexistent.

■ I gather that versions of the following have been zipping around the Internet for some time now. For the edification of our readers, the editors submit this synthesis of several versions. Inevitably, this will inspire further variations. We may consider publication of the most inspired.
"Why did the chicken cross the road?"
Generic: To get to the other side.
Plato: For the greater good.
Karl Marx: It was a historical inevitability.
Tomás de Torquemada: Give me ten minutes with the chicken and I'll find out.
Timothy Leary: Because that's the only kind of trip the Establishment would let it take.
Nietzsche: Because if you gaze too long across the Road, the Road gazes also across you.
Oliver North: National Security was at stake.
Carl Jung: The confluence of events in the cultural gestalt necessitated that individual chickens cross roads at this historical juncture, and therefore synchronicitously brought such occurrences into being.
Jean-Paul Sartre: In order to act in good faith and be true to itself, the chicken found it necessary to cross the road.
Ludwig Wittgenstein: The possibility of "crossing" was encoded into the objects "chicken" and "road," and circumstances came into being which caused the actualization of this potential occurrence.
Albert Einstein: Whether the chicken crossed the road or the road crossed the chicken depends upon your frame of reference.
Aristotle: To actualize its potential.
Buddha: If you ask this question, you deny your own chicken-nature.
Salvador Dali: The Fish.
Darwin: It was the logical next step after coming down from the trees.
Emily Dickinson: Because it could not stop for death.
Epicurus: For fun.
Ralph Waldo Emerson: It didn't cross the road; it transcended it.
Johann Friedrich von Goethe: The eternal hen-principle made it do it.
Ernest Hemingway: To die. In the rain.
Werner Heisenberg: We are not sure which side of the road the chicken was on, but it was moving very fast.
David Hume: Out of custom and habit.
Saddam Hussein: This was an unprovoked act of rebellion and we were quite justified in dropping fifty tons of nerve gas on it.
Jack Nicholson: 'Cause it @#%&* wanted to. That's the @#%&* reason.
Pyrrho the Skeptic: What road?
The Sphinx: You tell me.
Sappho: Due to the loveliness of the hen on the other side, more fair than all of Hellas' fine armies.
Henry David Thoreau: To live deliberately . . . and suck all the marrow out of life.
Hippocrates: Because of an excess of phlegm in its pancreas.
Machiavelli: So that its subjects will view it with admiration, as a chicken which has the daring and courage to cross the road boldly, but also with fear, for who among them has the strength to contend with such a paragon of avian virtue? In such a manner is the princely chicken's dominion maintained.
McKinsey Consultant: Deregulation of the chicken's side of the road was threatening its dominant market position. The chicken was faced with significant challenges to create and develop the competencies required for the newly competitive market. McKinsey, in a partnering relationship with the client, helped the chicken by rethinking its physical distribution strategy and implementation processes. Using the Poultry Integration Model (PIM), McKinsey helped the chicken use its skills, methodologies, knowledge, capital, and experiences to align the chicken's people, processes, and technology in support of its overall strategy within a Program Management framework. McKinsey convened a diverse cross-spectrum of road analysts and best chickens along with McKinsey consultants with deep skills in the transportation industry to engage in a two-day itinerary of meetings in order to leverage their personal knowledge capital, both tacit and explicit, and to enable them to synergize with each other in order to achieve the implicit goals of delivering and successfully architecting and implementing an enterprise-wide value framework across the continuum of poultry cross-median processes. The meeting was held in a park-like setting, enabling and creating an impactful environment which was strategically based, industry-focused, and built upon a consistent, clear, and unified market message and aligned with the chicken's mission, vision, and core values. This was conducive towards the creation of a total business

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integration solution. McKinsey helped the chicken change to become more successful.

■ There is so much money and bother to be saved. For instance, *Forum Letter* (Lutheran) notes that two seminaries recently offered a continuing education course that promised to explore "subjects such as understanding the relationship between racism, sexism, and heterosexism." Editor Russ Saltzman comments: "That's a no-brainer. Who wouldn't understand the relationship? All sexist racists are heterosexuals. Easy, wasn't it? And think of the money we saved on tuition, travel, registration, and ideologically mandated mental adjustments." Obviously, Pastor Saltzman does not appreciate the havoc that would be inflicted on contemporary seminary education by such reckless application of Dr. Johnson's advice to clear the mind of cant.

■ Canadians are very nice. That proposition meets with almost universal agreement, and Canadians are typically nice enough to ignore the slight hint of condescension that accompanies it. This is a question taken up by *Aspects of the Canadian Evangelical Experience* (McGill-Queen's University Press, 1997) which is reviewed by Preston Jones. Evangelical Protestants in Canada tend to maintain a low profile, and one reason for that is that they don't want to come across as "Americans." Those American evangelicals are so awfully aggressive, individualistic, and rowdy, and the Canadians are determined that evangelicalism there not be viewed as an American export. On all this Preston offers an astute observation: "A tough dilemma indeed; a dilemma I won't pursue any further except to raise this point: American evangelicals have been rightly criticized for acting as though American individualism is the stuff of Christian orthodoxy. What Canada's evangelical intellectuals might do well to consider is if their own community of faith has comparably misconstrued Canadian conformism as a Christian virtue."

■ A billion here and a billion there, as the late Senator Dirksen said, and pretty soon you're talking real money. If Ted Turner ever coughs up the billion dollars he so grandiosely pledged, that might soon be the case also with the United Nations, but for the moment it's a million here and a million there. General Karl Paschke, a Germany foreign service officer, has the thankless task of heading up the anti-corruption office at the UN. Questionable expenditures in catering, food purchases, and air charter services, plus the widespread putting of no-show relatives in posh jobs, are widespread practices, and the general acknowledges that his office is able to cope with only a fraction of the monetary infractions, but he is pleased to report that last year he was able to recoup $30 million, which may send the message that there are, after all, some limits to what the organization will tolerate. In addition, there are too many instances of sexual abuse and violence, but such problems do not lend themselves to easy definition. The report said, "In the multicultural environment of the United Nations, beliefs and practices often clash, and officials are wary of wading into cases in areas murkier than stealing money." Multiculturalists are in a bind. They can't very well claim the UN is a school for the forging of a universal ethic, but neither do they want to take the public position that embezzlement, rape, and nepotism is a small price to pay for the multicultural world they champion. Apparently General Paschke is of the old school, but for the foreseeable future his office is not prepared to go any further than suggesting, with due respect for the culturally constructed ethics of "the other," that it really is not appropriate, as they say, to steal money. Don't knock it. It's a beginning.

■ On any list of really great books on American history, one must put Eugene Genovese's *Roll, Jordan, Roll: The World the Slaves Made* (1974). Genovese was a hard-core Marxist who stuck with that quasi-religion until the bitter end. In an essay, "The Question," in the 1994 issue of the leftist *Dissent*, it was evident that the break was coming. There he wrote: "No one should be surprised that none of our leading historical associations have thought it intellectually challenging to devote sessions at their enormous annual meetings to frank discussions of the socialist debacle. . . . The *pezzonovanti* of our profession have more important things on their minds. When they can take time away from their primary concern (the distribution of jobs, prizes, and other forms of patronage), they are immersed in grave condemnations of the appalling violations of human rights by Christopher Columbus. I know that it is in bad taste to laugh, but I laugh anyway. I would rather be judged boorish than be seen throwing up. Our whole project of 'human liberation' has rested on a series of gigantic illusions. The catastrophic consequences of our failure during this century—not merely the body count but the monotonous recurrence of despotism and wanton cruelty—cannot be dismissed as aberrations. Slimmed down to a technologically appropriate scale, they have followed in the wake of victories by radical egalitarian movements throughout history. We have yet to answer our right-wing critics' claims, which are regrettably well documented, that throughout history from ancient times to the peasant wars of the sixteenth century to the Reign of Terror and beyond, social movements that have espoused radical egalitarianism and participatory democracy have begun with mass murder and ended in despotism." In 1995, his scholar wife, Elizabeth Fox-Genovese, entered into full communion with the Catholic Church, and shortly

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thereafter Eugene Genovese, who had left the Church at age fifteen, returned home.

■ "Francis Schaeffer represents that part of evangelical Christianity that has always been ill at ease with the world in which it finds itself. One can no more imagine Francis Schaeffer playing golf with the high and mighty than one can imagine Mother Teresa shopping for furs in I. Magnin." That's from an issue of *Christianity Today* featuring "Our Saint Francis." Fourteen years after his death, the influence of Schaeffer through the "graduates" of his L'Abri ("The Shelter") community in Switzerland seems to be flourishing everywhere. Many thought his son Frank would be heir to the ministry, but he converted to Eastern Orthodoxy some years ago, and seems to have turned very bitter toward his father's legacy. Nonetheless, the work continues. A while back I lectured at the Schaeffer Institute that is attached to Covenant Seminary (Presbyterian Church of America) in St. Louis. It was a long-delayed occasion to pay public tribute to Schaeffer. He was in many ways an autodidact, with some of the intellectual eccentricities that come with that, but for a generation of evangelical Protestants he championed the redemption of the mind as well as the heart. In this cause, his influence among evangelicals is probably second only to C. S. Lewis. Through his films and lectures, Schaeffer dramatically posed the question of what was becoming of the human race and almost single-handedly alerted evangelicals to the significance of the abortion debate. He did not use the language of John Paul II about "the culture of death" versus "the culture of life," but that was the gist of his message, and his effective delivery of that message was a critical factor in bringing about the ever-growing alliance between evangelicals and Catholics in the great cultural tasks of our time. As our evangelical friends do not usually say, *Requiescat in pace.*

■ Whatever is going to happen to the Catholic Church when it runs out of priests? The answer, according to Robert G. Kennedy, professor of management at the University of St. Thomas in Minnesota, is that the "priest shortage" is greatly exaggerated. The absolute number of priests in the U.S. peaked in 1966 at about 60,000, compared with 48,100 today, but the more important figure is the number of priests relative to the Catholic population. In 1966 there were 780 Catholics per priest, today there are 1,272 per priest. The perceived priest shortage is in large part a result of the enormous growth in the number of Catholics. In 1966 there were many times more seminarians, but that was under an older seminary structure when the great majority dropped out before ordination. Plus, many who were ordained left active ministry after a few years. The "defection" rate twenty-five years ago was more than three times what it is today. Although data from back then are somewhat shaky, Kennedy thinks the number of Catholics per priest in 1900 was about the same as today. Although there are signs that the number of ordinations are now on the increase, in order to reduce significantly the number of Catholics per priest over the next decade, there would need to be three times the number of ordinations there are at present. The chief reason for that is not the declining number of priests but the increasing number of Catholics. Much of the slack has been taken up in recent years by the ordination of more than twelve thousand permanent deacons, so that the number of clergy (priests and deacons) is now higher than it was in 1966. Kennedy ends on this hopeful note: "Moved by concern over the declining number of priests, people often wonder what is to become of the Church. The answer may be that it is becoming more like the Church envisioned by [the Second Vatican Council], a Church less directly dependent upon priests to do its work but more strongly animated by their leadership." At the same time, he recognizes the obvious: "We may never really have enough priests for everything we might find worth doing."

■ There is a letterhead organization that is given millions of dollars by big foundations such as Ford and Rockefeller to do only one thing, attack the Catholic Church for its teaching on human sexuality. If letterhead organizations can have subsidiaries, a subsidiary of Catholics for a Free Choice is Catholics for Contraception. In the name of the latter a big ad appears on the op-ed page of the *New York Times* criticizing the bishops' opposition to the Clinton Administration's promotion of abortion and contraception in foreign aid programs. The ad features the picture of a bishop's mitre under the heading, "Worn correctly, it can prevent unintended pregnancy, AIDS, and abortion." The depiction of a bishop's mitre as a condom is typical of the meretricious tactics of Catholics for a Free Choice. I wish I could say it is a new low for the *New York Times.*

■ From across the political spectrum comes high praise for a 136-minute video, *Waco: The Rules of Engagement.* The documentary is very deliberately low key, and all the more disturbing as a consequence. The 1993 killing of the eighty-six men, women, and children at Waco must be indelibly imprinted upon the national memory. Some would dismiss the event as a bizarre aberration, and there were no doubt elements of the bizarre and aberrant. But in a larger sense, Waco was a moment of truth, revealing, admittedly in an extreme form, the consequences of a pervasively perverse understanding of government power and religious freedom. The most accurate and accessible account of the Waco tragedy is still Dean Kelley's "Waco: A Tragedy and Its Aftermath" (FT, May 1995). But I warmly recommend for personal

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viewing and group discussions *Waco: The Rules of Engagement,* which is available for $25 from Somford Entertainment, 8778 Sunset Blvd., 2nd floor, Los Angeles, CA 90069.

■ The Supreme Court let stand a ruling of the U.S. Ninth Circuit Court of Appeals that a person can be fired for incorrect views on homosexuality. The Rev. Eugene Lumpkin was fired from the San Francisco human rights commission when he refused to retract this statement made in an interview: "It's sad that people have AIDS and what have you, but it says right here in the Scripture that the homosexual lifestyle is an abomination against God." Lumpkin sued, claiming that "The right to religious belief and profession is absolute." The Circuit Court disagreed, saying he had a right to state his views but that the First Amendment does not "assure him job security when he preached homophobia while serving as a city official." Apparently the judgment would be the same were he a Catholic who publicly affirmed the Church's position that homosexual desire is "objectively disordered." Writers in these pages such as Hadley Arkes of Amherst have been criticized for suggesting that the day is coming when serious Christians and Jews who do not conform to court-imposed opinions will be excluded from public and private employment. It is happening.

■ "Brazil: A Gracious People in a Heartless System" is a new mission study published by the National Council of Churches. It attributes Brazil's miseries to "the world capitalist system" and urges the liberating embrace of animist cults derived from Africa and of "ecclesial base communities" devoted to revolutionary change. The Christian gospel proclaimed in Brazil's churches is, the study reproachfully notes, a "foreign import." Indeed it is that for all of us, except for the dwindling number of Christians in the Holy Land.

■ If you think we have problems in the U.S., spend some time in Canada. At least that's the view of Iain Benson, who heads up the Centre for Renewal in Public Policy. (I believe it was David Frum who said that Canada is to American liberalism what Cuba is to the American automobile industry—a place where ideas are kept running decades after they should have been scrapped.) Benson notes that the "People's Republic of British Columbia" recently rammed through a marriage law that changes the definition of "spouse" to include same-sex couples, and he looks enviously toward Hawaii, "where they still have a functioning (if chaotic) democracy" and the people will get a chance to vote on a similar change later this year. The center is producing some first-rate materials on education, family policy, and religion in public. You might want to check them out by writing Mr. Benson at the Centre for Renewal in Public Policy, 130 Albert St., Suite 510, Ottawa, Ontario K1P 5G4.

■ The question was whether homosexual couples could hold "commitment services" in the chapels of Emory University, a school connected with the United Methodist Church. (Some years ago, a president of Emory said, "I can get away with calling Emory a Methodist university, but all hell would break loose if I said it was a Christian university.") After "four months of prayer, discussion, and research" (it says here), the answer is yes, but only if an ordained campus minister from one of the school's approved twenty-four religious groups presides at the ceremony. At present only the Reform Jewish and United Church of Christ chaplains allow such same-sex ceremonies. So after months of study and soul-searching the trustees of Emory have made a clear moral judgment: Same-sex commitment ceremonies without the benefit of university-certified clergy are wrong. Who says we're losing our grip on moral absolutes?

■ He was a nominal Catholic and she a nominal Jew. After the divorce, she turned toward Orthodoxy and he joined up with an evangelical Protestant church. She is trying to raise their ten-year-old daughter Jewishly but on his weekends he takes the girl to Sunday School. She brought suit and the State Supreme Judicial Court of Massachusetts has ordered him to cease and desist. The conflict between the parents' religious commitments is an excessive burden on the child, the court ruled. The denial of the father's and the child's free exercise of religion is not an inconsiderable matter, but some obviously think it a reasonable price to pay for judicial rescue from the messiness of life. Attorneys are pondering an appeal.

■ The defeat and marginalization of American fundamentalism during the 1920s—the presumed end of fundamentalism is most indelibly imprinted in our cultural chronicles by the debacle of the Scopes trial—is taken for granted by almost all scholars of American history. In recent years the standard account has been usefully complexified by writers such as George Marsden, and that revisionism is now strengthened by Joel Carpenter's *Revive Us Again: The Reawakening of American Fundamentalism* (Oxford University Press). An essential part of that revival was the rediscovery of the missionary imperative during the 1920s and 1930s, a rediscovery later intensified by the experience of World War II. This is an aspect of evangelical-fundamentalist history that seems to have been ignored. Carpenter writes: "Especially for North American evangelicals, the triumph of the Allied forces arrayed around the world excited the missionary imagination, and so did the technological mastery that made these operations possible. Furthermore, the experience of tens of

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thousands of born-again soldiers and sailors, trained and transported at government expense to serve in faraway lands, led them quite naturally to a greater missions awareness. And thanks to veterans' educational benefits and the abundance of surplus war goods, government spending provided additional support for a missions surge." We will be giving more attention to *Revive Us Again* in these pages. It is a book that should not be missed by those who want to understand our contemporary religious situation, which has been shaped and is being shaped in large part by the creative evangelical use of a culture based on a market economy that lends itself to the success of para-church enthusiasms that work around, and frequently against, the denominational structures that were once the bulwark of American Protestantism.

■ So it turns out that Forrest Carter, author of the best-selling *The Education of Little Tree*, was really Asa Carter, segregationist, Ku Kluxer, and speechwriter for former Gov. George Wallace. This is something of an embarrassment to Hollywood, which has just turned the book into a movie. *Little Tree*, one gathers, is an exquisitely correct story about the superiority of Cherokee ways in contrast to our stiflingly oppressive society. Richard Friedenberg, the director, says the late Mr. Carter has more than made amends for the sins of his earlier life. He notes that the story deals "with the strength of the family and not necessarily with traditional families." In addition, "the handful of blacks and Jews in Carter's books are depicted sympathetically." "The bad guys are, almost without fail, rich whites, politicians, and phony preachers," says Friedenberg. So lay off this Carter guy; he was clearly on the side of the angels.

■ Actress Susan Sarandon won an Oscar, and fifteen years ago she won an alumni achievement award from Catholic University of America in Washington, D.C. She has given the second award back because CUA declined to give an alumni award to her friend, the actor-director Joseph Sicari. The university cited the fact that Sicari is a founding member of Act-Up, the homosexual activist group that, among other things, trashed a Mass at St. Patrick's Cathedral in New York. Ever alert to the freedoms on which this great republic is founded, Sicari accused the school of conducting "a Catholic witch hunt," according to the *Washington Post*. Returning her award, Sarandon told the university, "If you are following the tenets of the Catholic Church, you should have mine back, too." During her years there as a student, it apparently had not been brought to her attention that an institution named Catholic University might have some connection with the tenets of the Catholic Church. Or perhaps her comments simply reflect a Hollywood mindset that cannot distinguish between a witch hunt and strong disapproval of the disruption of divine services. To that mental incapacity Catholics used to more commonly apply the marvelously apt term, invincible ignorance.

■ William Kristol and Robert Kagan can take great satisfaction from the lively response to the debate they launched in a 1996 *Foreign Affairs* article, "Toward a Neo-Reaganite Foreign Policy." In contending for a new vision of American greatness, they criticized, inter alia, John Quincy Adams' caution that America ought not "go abroad in search of monsters to destroy." Why not? they asked. "The alternative is to leave monsters on the loose, ravaging and pillaging to their heart's content, as Americans stand by and watch." Walter McDougall, editor of the foreign policy journal *Orbis*, is not buying. Writing in a newsletter of the Foreign Policy Research Institute, McDougall says: "I cannot let any slap at John Quincy Adams go unavenged. 'Why not?' ask the authors rhetorically. Here's why not: because if you go abroad *in search of monsters*, you will invariably find them even if you have to create them. You will then fight them, whether or not you need to, and you will either come home defeated, or else so bloodied that the American people will lose their tolerance for engagement altogether, or else so victorious and full of yourself that the rest of the world will hate you and fear that you'll name them the next monster. And by the way, was it not Ronald Reagan who reminded America in such moving cadences of its calling to be an exemplary City on a Hill? Kristol and Kagan also fail to quote the sentences that immediately follow Adams' 'go not abroad in search of monsters.' The reason not to is that to do so 'would involve the United States beyond the power of extrication, in all the wars of interest and intrigue, avarice, envy, and ambition. . . . America might become the dictatress of the world, but she would no longer be the ruler of her own spirit.' The road to hell, that is, is paved with good intentions, as we Vietnam veterans know. I bear no grudge against Kristol or Kagan. I even agree with them that the U.S. must play a leading role in the world, affirm its values without apology, and recommend them to all mankind. But I believe that the American people and Congress are already, to their credit, on board for an engaged foreign policy, that the quarter of a trillion dollars in our annual Pentagon budget is no trifling sum, and that premature, imprudent crusades are the best way to play into the hands of real 'isolationists.' Above all, I fear that the sins of commission that excessive zeal may provoke are more dangerous in our present era than any sins of omission borne of inordinate prudence."

■ Reviewing Steven Pinker's *How the Mind Works*, Daniel Robinson of Georgetown finds wisdom in Matthew Arnold's response to Darwin's claim that our ancestor was "a hairy quadruped, with pointed

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ears and a tail, probably arboreal in his habits." Possibly true, said Arnold, but "there must have been something in him that inclined him to Greek."

■ No rest for the wicked. The ACLU is ever busy in its effort to turn the public square into a religion-free zone. Suit has been filed against the city of Stow, Ohio, because the city seal depicts a Bible and a cross. And against the State of Ohio for its motto "With God All Things Are Possible." The ACLU says the phrase is "distinctly religious in meaning and philosophy and violates the First and Fourteenth Amendments of the U.S. Constitution and Article 1 of the Ohio Constitution." For many years extreme strict separationists said they were willing to put up with things such as "In God We Trust" on our coins, or "one nation, under God" in the Pledge of Allegiance. Going after such vestiges of religion would cause too much of a political ruckus, and, anyway, nobody really thinks they represent serious statements of religious belief. But now that seems to be changing. Perhaps because the ACLU perceives that many people do take such symbols seriously, or perhaps because it is more confident of winning in the courts.

■ The headline is somewhat misleading, "Canada Church Leader Admits Doubts." Actually, it seems that the Rev. Bill Phipps, elected last August as Moderator of the United Church of Canada, is a devout traditionalist of a tradition that has almost reached its well-deserved extinction. Nonetheless, he disturbed some of the Christians in the UCC by announcing in a newspaper interview, "I don't believe Christ was God." Jesus, he opines, is a "window to God." Like Rudolf Bultmann of mixed memory, it appears that Mr. Phipps came across an electric light switch and therefore concluded that Jesus did not actually rise from the dead "but had a profound spiritual impact upon his followers and for centuries since." According to the AP story, his remarks met with considerable opposition in some quarters but were welcomed by "lapsed Christians and followers of other faiths who welcome Phipps' views as an opportunity to reconsider Christ's significance in an increasingly multicultural society." Phipps, who is an anti-poverty lawyer and proponent of the "social gospel," does not claim to be a theologian but thinks the controversy a very good thing. "I'm willing to bet that in Canada there will be more talk about who Jesus is than for many decades. I think that's wonderful," he declared. The UCC began in the 1920s as a merger of Methodists, Congregationalists, and Presbyterians. Some more Presbyterian Presbyterians did not go along, and it is common to find separate Presbyterian churches in Canadian towns. Since its founding, the UCC is proud of being in the avant garde, having first ordained women in 1936 and deciding in 1988 that homosexuality is no impediment to ordination to its ministry. The Rev. Peter Wyatt is the guardian of doctrine, so to speak, for the UCC, being secretary of theology, faith, and ecumenism. Unfazed by the Phipps fracas, he says the UCC's "commitment to diverse interpretation of Christ's message is a valuable alternative to the divisions unleashed by fundamentalist passions worldwide." Seldom, for instance, does one hear of Unitarians killing one another over fine points of dogma. Seldom, come to think of it, does one hear of Unitarians at all. Of course the atheists have been rather bloody this century. The UCC avoids such extremism by keeping a window open to the God question for those who might be interested. As for Mr. Phipps, his interest is in turning attention away from his theological views and toward "the social implications of Jesus' teaching." This year the UCC is launching a program titled "Christ and the Moral Economy." Apparently, Christ shares Phipps' outrage that Canadians still have the poor among them. "It's an absolute obscenity that there are homeless people in the city of Calgary—one of the most booming economies in the world," says Phipps, thereby demonstrating that he has not lost his hold on moral absolutes. The program will attend to the needs of the homeless of Calgary by, as it says here, challenging "the worldwide emphasis on market competition and focusing on reducing the gap between rich and poor." Ever on the cutting edge, the UCC is rumored to be thinking of calling its bold new approach to economics "socialism." One wishes the Rev. Bill Phipps and those of like mind long life. They are valuable historical artifacts, and a useful reminder that everything changes except the avant garde.

■ For many years Gallup and others have been collecting data on church attendance, and the more or less steady report is that 50 percent of self-identified Catholics and 40 percent of self-identified Protestants go to church in any given week. Then Mark Chaves of the University of Illinois hit on the idea of checking out how Catholic dioceses and other church institutions reported attendance, and claimed to find that the standard figures are greatly inflated. Chaves says the figures for Catholics and Protestants are more like 27 percent and 20 percent respectively. After looking at the numbers-crunching details and discussing comparative methodologies with George Gallup, my own view is that the standard figures are much more reliable. For an exchange on this question, especially as it touches on Catholic attendance, readers might want to consult the September 12 and November 21, 1997 issues of *Commonweal*.

■ In a 1990 book on religion in Russia, Michael Bordeaux, the formidable founder of Keston College, tells of a central committee meeting of the World Council of Churches (WCC), which had been given the names of 200 Soviet Christians imprisoned for their faith. The committee declined to take up their

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cause. As one member explained, "What are 200 people in a country of 200 million?" The WCC finds itself in a similarly, shall we say, ambiguous posture toward religious freedom in the post-Communist era. According to Keston News Service, a forthcoming visit to Russia by general secretary Konrad Raiser will focus on "ecumenical relations" rather than the restriction of freedom imposed by the new law on religious organizations signed by President Boris Yeltsin in September 1997 (see Lawrence A. Uzzell, "Letter from Moscow," FT, January 1998). The new law strongly favors and is strongly supported by the Russian Orthodox Church. Catholics and others remain under tight control by the state. At the same time, the Russians, along with other Orthodox churches, are increasingly unhappy with the Protestant-dominated WCC. The Georgian Orthodox Church has already withdrawn from the WCC and Dr. Raiser is understandably eager to stem any Russian moves to follow suit. He reportedly will not raise embarrassing questions about the law's discrimination against non-Orthodox Christians. With the end of Soviet communism so much has changed. One constant would seem to be the WCC's indifference to religious freedom.

■ In January of 1997, Sri Lankan theologian Father Tissa Balasuriya was lionized in sectors of the Catholic press when the Congregation for the Doctrine of the Faith (CDF) notified him that he had incurred automatic excommunication for espousing heresy in his writings. As noted in these pages, he was much celebrated at the time for his defiance of Church authority. Almost exactly a year later, on January 15, Father Balasuriya was reconciled with the Church in a ceremony conducted by Archbishop Nicholas Marcus Fernando of Colombo. He said, "I realize that serious ambiguities and doctrinal errors were perceived in my writings and therefore provoked negative reactions from other parties, affected relationships, and led to an unfortunate polarization in the ecclesial community. I truly regret the harm this has caused." Those of a suspicious bent might parse that statement as being something less than a clear admission of error. They should stifle their suspicion. The important thing is that a prodigal has returned, which is the pastoral purpose of CDF. Celebrity is for fifteen minutes. Salvation is forever. Nor is there any evidence that Fr. Balasuriya enjoyed his celebrity status. "This entire episode has been very painful for me," he said upon his reconciliation. "It has caused pain to the Christian community and to many others who have been directly or indirectly involved in this situation." He said that he assumed CDF was acting according to the rules, "even though I was hoping for a more direct and personal dialogue [about my writings]." To the extent that hope was justified and disappointed, CDF, too, might draw lessons from this unhappy episode now happily resolved.

■ Published in Britain, William Oddie's *The Roman Option* (HarperCollins) received a very hostile review in the *Tablet* by a party who was sharply criticized in the book. More interesting than the ethics of choosing reviewers, the RC bishops conference of England and Wales issued a statement criticizing the book, specifically the claim that Cardinal Hume and Cardinal Ratzinger favored allowing Church of England parishes that entered into communion with Rome to retain a large measure of liturgical and other customs. Oddie claims that the majority of English and Welsh bishops opposed Hume and Rome, but the conference statement says the bishops were unanimous in taking the course they did. In support of his interpretation, Oddie quotes Cardinal Hume in a 1993 interview: "This could be a big moment of grace, it could be the conversion of England for which we have prayed all these years. I am terrified now we are going to turn round and say we do not want these newcomers."

■ Lawrence Cunningham reviews Princeton sociologist Robert Wuthnow's *The Crisis in the Churches* (Oxford University Press), which is about, mainly, the failure of people to give enough money to support all that churches want to do. Cunningham writes: "For all of the research that Wuthnow put into this book, it is amazing to me that most of what he found, at least from my perspective as an observer of the Catholic scene, could have been deduced from personal observation, conversation, and an eye toward Catholic publications. . . . I was somewhat unfairly reminded of a quip of the late Eric Sevareid: sociology is sometimes just slow journalism."

■ My Lutheran theologian friend Robert Jenson says he tries to go to meetings of the Catholic Theological Society of America (CTSA) to stay abreast of liberal Protestant theology. CTSA got some attention last year when it issued a report challenging the Church's teaching that it has no authority to ordain women to the priesthood. Now Father Matthew Lamb of Boston College has published an article suggesting that we should not confuse CTSA with Catholic theology. While claiming to have as many as 1,500 members, only about 20 percent attend meetings at which their vote is the voice of the entire CTSA. At the last meeting Sister Margaret Farley, whom *Crisis* magazine reports is a supporter of the pro-abortion group "Catholics for a Free Choice," was elected president with 10 percent of the vote of the CTSA membership. Fr. Lamb offers some other findings of interest: "More than 80 percent of the 1,385 dissertation titles in the 1996 CTSA focus on theologians of the nineteenth and twentieth centuries. Among the twentieth-century Catholic theologians, studies on Karl Rahner exceed those on Bernard Lonergan, Edward Schillebeeckx, Yves

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Congar, Hans Urs von Balthasar, M. D. Chenu, and Henri de Lubac put together. There are more studies on Paul Ricoeur and Paul Tillich than on Marcel, Gilson, Maritain, and Congar put together. There are more studies listed of Barth than of Balthasar; more on the Reformation than on the Council of Trent. More members list themselves as students of process theology than of Thomism; more listings cite Wolfhart Pannenberg than Ignatius of Loyola; more are concerned with human or civil rights than natural law. There are more listings on feminism and women's studies than on Christology or the Trinity; many more on spirituality (over four hundred) than on the Holy Spirit (fewer than forty). Themes associated with liberation or world religions far outweigh those dealing with the priesthood or the Magisterium." All of which leads Fr. Lamb to ask some pertinent questions about the CTSA and the state of Catholic theology in the presumably Catholic academy: "How many of its members have an adequate formation in Catholic theological traditions? For example, how many have studied monastic and patristic theologians, medieval and Counter-Reformation theologians? How many members know the differences between Catholic and Protestant theological and doctrinal traditions? Indeed, how many of its members have studied the new *Catechism of the Catholic Church?* These are not antiecumenical questions. One of the major concerns of ecumenically engaged theologians, both Protestant and Catholic, is the need for the coming generation of theologians to know their own ecclesial traditions well."

■ "I write this in desperation, having no idea where the next sentence will come from. But it's the night before press day and I can't put it off any longer." So begins Michael Farrell, the new editor of the *National Catholic Reporter.* It's not an easy job, but you can see that the next sentence did come, and the next, and the next. "At *NCR,*" he continues, "we start with blank pages every week, and everyone knows the doubts a blank page can sow in the human head. Is there anything worth saying? Even if there is, what do *you* know about? Can't you for once write it elegantly and with clarity?" Excellent questions all. He concludes by reflecting that maybe the answers don't really make any difference, but "In the meantime, we are putting out *NCR* for ourselves and for you, all of us sort of holding hands and standing on what we think is a stretch of high, dry ground and saying to the world that we're here, actually alive, at this time, and that we count." Do not despair. We see you, left high and dry, sort of holding hands. You are there. Actually alive. At this time. Message received, Michael. (I hope somebody out in Kansas City is keeping a pastoral eye on this guy.)

■ Late-breaking news is not our shtick in these pages. Thus, apart from this mention, the absence of any reference to the all-sleaze-all-the-time reports on the President's zipper problems. If, as almost all informed parties seem to believe, Mr. Clinton has during his term of office had sex with one or more women other than his wife, and if he has directly looked the American people in the eye and lied through his teeth in denying it, and if the American people know this and still allow him to continue in office, I promise critics who say I have an excessively hopeful view of the American character that I will engage in an agonizing reappraisal of my position. Enough said. I will not be surprised if events have overtaken this comment before it appears in print.

■ Germain Grisez of Mount St. Mary Seminary in Maryland is without doubt one of the most impressive moral thinkers working today. I am inclined to say one of the most influential as well, but resistance to his work among non-Catholic and dissenting Catholic thinkers is still strong. Everybody in moral theology, however, has to have at least a passing acquaintance with his two volume *The Way of the Lord Jesus* (vol. 1 is *Christian Moral Principles* and vol. 2 is *Living a Christian Life,* with a third volume soon to appear, all published by Franciscan Press, Quincy, Ill.). The immediate reason for mentioning all this is a book forthcoming from Georgetown University Press and edited by Robert George of Princeton, *Natural Law and Moral Inquiry: Ethics, Metaphysics, and Politics in the Work of Germain Grisez.* The book is composed of heavy-duty scholarly exchanges between Grisez and his critics (and admirers), but I thought you might like a little personal note that Grisez appends to his response: "Whenever I come back to my favorite airport, Baltimore-Washington International, I pass under an official message of the State of Maryland: 'Welcome to Maryland! Enjoy your visit!' and my heart is warmed by the reminder that, though Jeannette and I reside permanently in Maryland, we will not live there forever. Despite the danger that the U.S. Supreme Court will find Maryland's welcome inconsistent with the First Amendment, this state, at least, officially reminds its returning citizens that Maryland is not their real home, that we are only visiting and can look forward to a better, a heavenly home. I have tried to keep this thought at the center of my theology, and have striven to tie my treatment of specific issues tightly to hope for heaven. My ultimate criticism of alternative approaches to moral theology is that they do not do this very well, if at all, and so are not helpful in guiding and encouraging people to seek God's kingdom. But in the end nothing else matters for theology or, what is more important, for any of us struggling through this vale of tears." The only philosopher or theologian who can finally be trusted is one who knows where home is.

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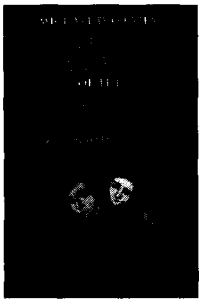

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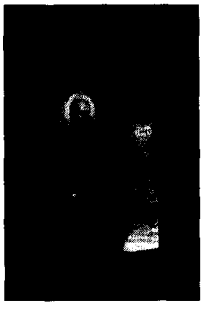

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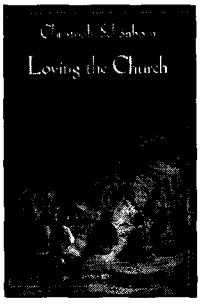

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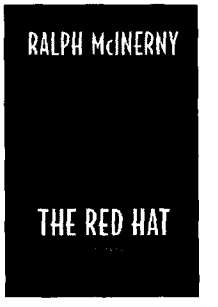

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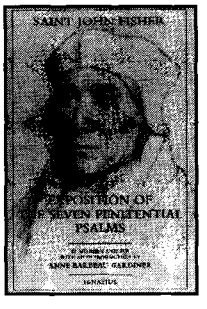

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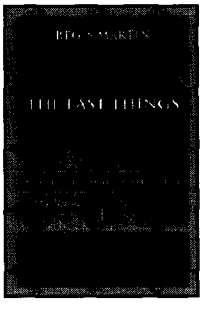

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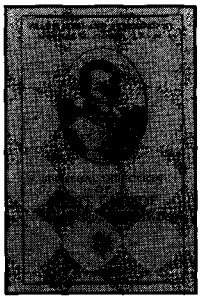

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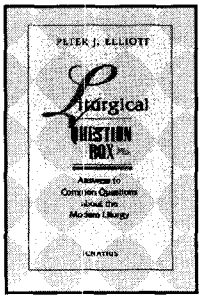

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